

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24779 of 2020

Arising Out of PS. Case No.-801 Year-2019 Thana- SHASTRINAGAR District- Patna

JITENDRA SHARMA Son of Kailash Chandra Sharma Resident of House No.108, Galaxy Tower, Swarn Jaynti Nagar, Ramghat Road, P.S.- Quarsi, District Aligarh, Uttar Pradesh

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Richa Singh W/o Jitendra Sharma D/o Sachindra Kishore Prasad Singh, Resident of B- 1 (New), Electricity Board Colony, Near DAV School, Rajvanshi Nagar, P.S.- Shastrinagar, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Bhardwaj, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 08-12-2021 Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four weeks after complete start of the physical Court.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 498-A/34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act as well as Sections 66(C) and (D) of the I.T. Act.

Opposite Party No. 2, who is wife of the petitioner, has already appeared.

Allegation is under Section 498-A of the Indian Penal Code and other provisions of different law.

By order dated 16.10.2020, order of no coercive step



against the petitioner is already there.

Petitioner is ready for settlement of dispute with Opposite Party No. 2, who is wife of the petitioner.

Considering future chances of settlement of dispute between the spouse, let the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on **provisional anticipatory bail** on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Shastrinagar Police Station Case No. 801 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the provisional anticipatory bail of the petitioner.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

(c) The parties shall appear before the learned Court



below who shall take appropriate step for mediation and if the petitioner would be found cooperative in the mediation proceeding, the learned court below would be at liberty to confirm the provisional anticipatory bail of the petitioner.

(d) If any subsequent criminal case has been instituted between the same parties for same dispute, the petitioner shall not be arrested in that case also, otherwise the purpose of reconciliation would fail.

Accordingly, this application stands disposed of.

(Birendra Kumar, J)

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