

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26869 of 2020

Arising Out of PS. Case No.-98 Year-2020 Thana- CHAPRA TOWN District- Saran

AMIR KHAN S/o Amrullah Khan Resident of Village-Ansari muhalla, P.S-
Rewati, District-Baliya (U.P.)

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Soni Khatoon W/o Amir Khan, D/o Lalbabu Khan Resident of Village-
Ansari muhalla, P.S-Rewati, District-Baliya (U.P), at present village-
Dahiyawa, P.S-Town, District-Saran (Bihar).

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Abhishek Kumar, Advocate
For the State	:	Mr.Akhileshwar Dayal, A.P.P.
For the O.P. No.2	:	Mr. Ajay Kumar Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 03-02-2021 Learned counsel for the petitioner as well as learned
counsel for the opposite party no. 2 are present.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Town P.S. Case No. 98/2020 registered for the offence under Sections 323, 308, 498(A), 504/34 of the Indian Penal Code, pending before the court of learned C.J.M. Saran at Chapra.

As agreed between the parties, the petitioner shall visit the place of opposite party no. 2 on Monday i.e. 8th February, 2021 to bring her back to his matrimonial home.

Mr. Ajay Kumar Tiwary, learned counsel for the opposite party no. 2 submits that on such visit of the petitioner the opposite party no. 2 shall receive him cordially and will



accompany him to the matrimonial home where she will be living with full respect and dignity.

In the aforesaid view of the matter, learned counsel for the opposite party no. 2 submits that he would have no objection if the provisional bail is granted to the petitioner at this stage and the same may be confirmed by the learned court below after some time on being satisfied with the conduct of the petitioner.

Having regard to the facts and circumstances of the case, let the petitioner above-named in the event of his arrest or surrender within a period of four weeks from today in connection with Town P.S. Case No. 98 of 2020 be released on provisional bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any



person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that after two months the learned court below shall get itself satisfied with the conduct of the petitioner and on such satisfaction the bail bond shall be confirmed.

This application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

