

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36207 of 2020

Arising Out of PS. Case No.-103 Year-2018 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

MD. MUSTAK S/o Md. Ibrahim R/o village- Binoba Gram Jankinagar, P.S.-
Jankinagar, District- Purnea.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Jamila Khatoon D/o Md. Basrul, W/o Md. Mustak R/o village- Hariraha,
P.O.- Tengraha, P.S.- Shankarpur, District- Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 30-11-2021 Heard the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No. 103/2018, registered for the offence punishable under Sections 498(A) of the Indian Penal Code.

Learned counsel for the petitioner and learned counsel for the opposite party no.2 jointly submit that both the parties are ready to live together as husband and wife.

In such view of the matter, the petitioner is directed to visit his *Sasural* and take opposite party no.2 with him before 30.12.2021 and thereafter both the parties will file an application in this Court below that they have amicably settled their disputes and they are staying together. The petitioner will also provide a separate mobile phone and mobile number to opposite party no.2 from which she can talk to her parents as and when she desires.



On filing of the aforesaid application by both the parties in the Court below will release the petitioner on provisional bail for a period of three months on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Madhepura, in connection with Complaint Case No. 103/2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

After completion of three months, both the parties will again appear before the learned Court below. The Court below will verify the conduct of both the parties and thereafter take a decision either to confirm the provisional bail or to cancel the same in the facts of the case.

Till filing of the application by both the parties in the Court below, the interim protection granted to the petitioner vide order dated 25.05.2021 shall continued to operate.

With the aforesaid observation and directions, this bail petition is allowed.

(Sandeep Kumar, J)

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