

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46935 of 2021**

Arising Out of PS. Case No.-631 Year-2019 Thana- KATIHAR COMPLAINT CASE
District- Katihar

MD. SADEK ALI @ MD. SADEK ALAM S/O FAJLU HAQUE @ FAJAL
HAQUE R/o village- Simaria, Chamapara, P.S.- Korha, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Mastara Khatoon D/o Numan Ali, W/o Md. Sadek Ali @ Md. Sadek Alam
R/o village- Baijnathpur, Simaria, P.S.- Korha, District- Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER**

2 08-12-2021 Let the defect(s), if any, be removed within four weeks
after complete start of the physical Court.

Heard learned counsel for the parties.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Section 498-A of the
Indian Penal Code and Sections 3 and 4 of the D.P. Act.

This is a case under Section 498-A of the Indian Penal
Code. Petitioner is ready for settlement of dispute with opposite party
no. 2, who is wife of the petitioner.

Considering the background and nature of allegation of
commission of offence under Section 498-A of the Indian Penal
Code, 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 Complaint Case No. 631 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 bail bond of the petitioner.

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

(c) **The petitioner shall attend the Court on each and every date till confirmation of the provisional bail.**

(d) **The learned Court-below shall notice both the parties for amicable settlement and if the petitioner would be found cooperative; the learned Court-below shall confirm the provisional bail of the petitioner.**

Accordingly, this application stands disposed of.

(Birendra Kumar, J)

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