

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35691 of 2020

Arising Out of PS. Case No.-453 Year-2011 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

Pyare Lal Rai, aged about 40 years (Male), son of Raghu Rai, resident of
village - Bhitanha, P.S. - Motihari Muffasil, District- East Champaran.

... .. Petitioner

Versus

1. The State of Bihar.
2. Chanda Devi, aged about 37 years, daughter of Shiv Yadav, resident of
village - Gahiri Ahirtoli, P.S.- Nautan, District- West Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Abhishek Kumar, Advocate
For the State	:	Mr. Surendra Prasad Singh, APP
For Opp. Party No.2	:	Mr. Pravin Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 01-12-2021 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

The petitioner seeks anticipatory bail in connection
with Sessions Trial No. 330 of 2019, arising out of Complaint
Case No. 453 of 2011 registered for the offences under Sections
498-A/34 of the Indian Penal Code.

Learned counsel for the petitioner and learned
counsel for the opposite party no.2 jointly submits 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 22.12.2021 and thereafter both the parties will file an application in the 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, 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 Only) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar, Motihari, East Champaran, in connection with Sessions Trial No. 330 of 2019, arising out of Complaint Case No. 453 of 2011, subject to the condition 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 filling of the application by both the parties in the Court below, the interim protection granted to the petitioner vide order dated 30.04.2021 shall continue.

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

(Sandeep Kumar, J)

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