

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54593 of 2021

Arising Out of PS. Case No.-39 Year-2018 Thana- MAHILA P.S. District- Bhagalpur

KUMAR GOURAV Son of Shambhu Nath Jha Resident of Village - Malti (Rajaon), P.S.- Rajaon, Distt.- Banka At Present address Shanti Kunj Apartment Babupur More, NH-80, Sabour Road, P.O and P.s.- Sabour, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bindu Kumari D/o Gopal Mandal, Resident of Village - Karhariya, P.O. and P.s.and Distt.- Banka.

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Narsingh Tanti, 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.

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

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 Bhagalpur Mahila P.S. Case No. 39 of 2018, 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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