

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57496 of 2021

Arising Out of PS. Case No.-2 Year-2020 Thana- MAHILA P.S. District- Madhubani

Surendra Mahto @ Surendra Kumar Mahto S/O Kamech Lal Mahto R/o village- Basaniya Balanpatti, Tole- Ekmma, P.S.- Laukaha, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Santi Devi W/o Surendra Kumar Mahto R/o village- Ekmma, P.S.- Laukaha, District- Madhubani

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 08-12-2021 Let the defects, if any, be removed within four weeks of the complete start of the physical Court.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 323/341/498A/494/34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

This is a case under Section 498A 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 498A of the Indian Penal Code, let the petitioner, above named, in the event of his arrest or surrender before the 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 Mahila P.S. Case No.2 of 2020, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

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

(d) The Court-below shall notice both the



parties for amicable settlement and if the petitioner would be found cooperative; the Court-below shall confirm the provisional bail.

Accordingly, this application stands disposed of.

(Birendra Kumar, J)

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