

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64061 of 2021

Arising Out of PS. Case No.-74 Year-2020 Thana- MAHILA PS District- Darbhanga

ROSHAN KUMAR MISHRA @ RAUSHAN KUMAR MISHRA Son of
Pawan Kumar Mishra @ Pawan Kumar Resident of Village - Ballipur, P.S.-
Shivaji Nagar, Distt.- Samastipur, Presently Residing at A-101, Top Floor ,
Gali No.19, Bharat Vihar, Rajapuri, New Delhi, 110059... .. Petitioner/s
Versus

1. The State of Bihar
2. JAYA KUMARI W/o Roshan Kumar Mishra @ Raushan Kumar Mishra,
D/o Lakshman Jha At Present Resident of Village - Kabilpur, P.S.-
Bahadurpur, Distt.- Darbhanga. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Sanjay Kumar Singh,Adv
For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 10-12-2021 Let the defect (s) be removed within two weeks of
the complete start of the physical Court.

Heard the parties in virtual Court.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 323,
498(A),504,506,34 of the Indian Penal Code and 3/4 of Dowry
Prohibition 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 (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Mahila P.S. Case No.74 of 2020, 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) 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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