

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83519 of 2019

Arising Out of PS. Case No.-129 Year-2019 Thana- MAHILA P.S. District- Bhojpur

Sanjeev Kumar Son of Devendra Chaurasiya Resident of Village - Dumari,
P.S.- Madanpur, Distt - Aurangabad at present at the post of loco pilot CSTM
(Mumbai)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lovely Kumari Wife of Sanjeev Kumar, D/o Ram Bahadur Chaurasiya
Resident of Village - Dumari, P.S.- Madanpur, Distt - Aurangabad, Presently
residing in village - Bahiro L. No. 11, P.S.- Nawada, Distt - Ara.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Sumeet Kumar Singh, Advocate
For the State	:	Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 22-10-2021 Heard the parties including Mr. Gauri Shankar Gupta,
learned APP for the State through video conferencing.

The petitioner seeks anticipatory bail in connection
with Mahila P.S. Case No. 129 of 2019 registered for the offences
under Sections 498A, 323, 379, 504 and 506/34 of the Indian Penal
Code and under Sections 3/ 4 of the Dowry Prohibition Act.

Other accused persons, namely, Devendra Chaurasiya,
Pradeep Kumar, Viash Kumar, Kabita Kumari and Mona Kumar have
already been granted bail by learned Additional Sessions Judge-14th,
Bhojpur at Ara vide order dated 24.10.2019 passed in A.B.P. No.
1983 of 2019.

In paragraph 9 of the bail petition, specific statement
was made to the effect that the petitioner is ready to keep the



opposite party no.2 with full honour and dignity.

From the impugned order, it transpires that before the Additional Sessions Judge, Bhojpur at Ara, the opposite party no.2 had filed a petition stating therein that she showed her willingness for going to her matrimonial house with the petitioner but she had apprehension of her murder.

In such view of the matter, the petitioner is directed to visit his Sasural and take opposite party no.2 with him before 01.11.2021 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 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 Chief Judicial Magistrate, Bhojpur at Ara in connection with Mahila P.S. Case No. 129 of 2019, subject to the conditions 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 17.12.2019 shall continue to operate.

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

(Sandeep Kumar, J)

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