

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5623 of 2020

Arising Out of PS. Case No.-2638 Year-2015 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Vinit Srivastava @ Naveen Kumar S/o Awadhesh Prasad Shrivastava @
Awadhesh Kumar Resident of House No. 230/20A, Gali No. 15, Railway
Colony, P.s.-Mandawali, Delhi- 110092

... .. Petitioner

Versus

1. The State of Bihar
2. Neha Kumari W/o Vinit Srivastava, D/o Neeraj Kumar Verma Resident of
J.P. Colony, Chandwara, District- Muzaffarpur

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Rajendra Kishore Prasad,Advocate
For the Opposite Party/s : Mr.Akhileshwar Dayal,APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

12 22-02-2021 Mr. Rajendra Kishore Prasad, learned counsel for the

petitioner submits that in the order dated 18.01.2021 while
granting provisional anticipatory bail to the petitioner, this Court
has taken note of the submission of learned counsel for the
petitioner, however, it appears that inadvertently it has been
recorded that an ex-parte decree of divorce has been granted by
learned Principal Judge, Family Courts (East) Karkardooma
Courts, Delhi.

Learned counsel submits that the decree of divorce is
not an ex-parte decree and hence the said submission be
recorded stating that a decree of divorce has been granted by
learned Principal Judge, Family Courts (East) Karkardooma
Courts, Delhi.



Learned counsel has produced before this Court proof of deposit of Rs.2,500/- each month in the name of the complainant in the learned court below and undertakes to keep on depositing the said amount subject to any order which may be passed in an appropriate proceeding.

No one has entered appearance on behalf of O.P. No. 2. In such circumstance, there being no opposition, this Court confirms the provisional bail granted to the petitioner vide order dated 18.01.2021 passed in this case in connection with Complaint Case No. 2638 of 2015/Tr. No. 2228 of 2017 pending in the court of learned S.D.J.M., Muzaffarpur, East. Let the petitioner be allowed to remain on bail on the same bail bond subject to the conditions as laid down under Section 438(2) Cr.P.C i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

And further condition that he will continue to deposit



Rs.2,500/- by 7th day of every month which will be allowed to be withdrawn by O.P. No. 2 without any delay in the learned court below.

It appears that the amount has not been withdrawn by O.P. No. 2. Learned court below is directed to send appropriate notice to the complainant through her advocate or in any other permissible mode of service of notice making her aware about the deposits made by the petitioner in her name.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

SUSHMA2/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

