

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10851 of 2022

Arising Out of PS. Case No.-823 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Bittu Mahato, S/O Rama Mahato, R/o village- Babhnauli, P.S.- Govindganj,
Distt.- East Champaran.

... .. Petitioner

Versus

1. The State of Bihar.
2. Rani Devi, W/o Bittu Mahato, D/o Bigu Mahato, R/o village- Babhnauli,
P.S.- Govindganj, Distt.- East Champaran, Presently Resident of Village-
Vishunpurwa, P.S.- Sugauli, District- East Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Ajay Kumar Singh, Advocate
For the State	:	Mr. Syed Mojibur Rahman, APP
For Opp. Party No.2	:	Mr. Binay Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 05-04-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to
remove defect(s), as pointed out by the office, if any, within a
period of four weeks from today.

The petitioner seeks anticipatory bail in connection
with Trial No.1054 of 2021, arising out of Complaint Case No.
823 of 2019 registered for the offences under Section 498-A of
the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is ready to keep opposite party no.2 with full honour
and dignity. A statement to this effect has been made in
paragraph no. 10 of this bail application.



Learned counsel for the opposite party no.2 submits that the opposite party no.2 is also ready to stay with the petitioner.

In such view of the matter, the petitioner is directed to visit his *Sasural* and take the opposite party no.2 with him before 19.04.2022 and thereafter both of them 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 mobile number to the 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, Motihari, East Champaran, in connection with Trial No. 1054 of 2021, arising out of Complaint Case No. 823 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

After completion of three months, the petitioner



and the opposite party no.2 will again appear in the learned Court below. The Court below will verify the conduct of the petitioner and opposite party no.2 and thereafter take a decision either to confirm the provisional bail of the petitioner 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 petitioner shall not be arrested in connection with aforesaid case.

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

(Sandeep Kumar, J)

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