

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10831 of 2022

Arising Out of PS. Case No.-527 Year-2020 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Balkeshwar Kumar @ Chhotu Sah, S/O Late Shatrudhan Pd. @ Late
Shatrughna Prasad, R/O Village- Saidpur Dighwara, P.S.- Dighwara, District-
Saran

... .. Petitioner

Versus

1. The State of Bihar.
2. Guriya Devi, W/O Balkeshwar Kumar @ Chhotu Sah, Matrimonial Address-
Village- Saidpur Dighwara, P.S.- Dighwara, District- Saran. Parental
Address- Daughter of Late Madan Sah Village- Ghataro P.S.- Kartahan,
District- Vaishali

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party : Mr. Madan Kumar, APP

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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 Complaint Case No. 527 of 2020 registered for the
offences under Sections 323, 341, 498-A, 379/34 of the Indian
Penal Code and under Section 4 of the Dowry Prohibition Act.

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. 6 of this bail application.

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 A.C.J.M., 15th, Vaishali at Hajipur, in connection with Complaint Case No. 527 of 2020, 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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