

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11168 of 2022

Arising Out of PS. Case No.-410 Year-2019 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Rupesh Kumar Mahto, Son of Upendra Mahto, Resident of Village - (Toliya Pokhar), P.S.- Kaluahi, Distt.- Madhubani.

... .. Petitioner

Versus

1. The State of Bihar.
2. Amisha Devi, W/o Rupesh Kumar Mahto, D/o Yogendra Mahto, Resident of Village - Narsam, P.s.- Bisfi (Patauna), Distt.- Madhubani.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Ravi Prakash, Advocate
For the State	:	Mr. Madan Kumar, APP
For O.P. No.2	:	Mr. Ratnakar Jha, 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 C.R. Case No. 410 of 2019 registered for the offences under Sections 341, 323, 379, 384, 498-A & 504 of the Indian Penal Code and under Section 3/4 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. 10 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 S.D.J.M., Madhubani, in connection with C.R. Case No. 410 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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