

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25363 of 2021

Arising Out of PS. Case No.-28 Year-2017 Thana- BARGAINIA District- Sitamarhi

SHEIKH TANVEER @ MD. TANVEER, Son of Sheikh Tahir, Resident of Village- Lahsaniya, P.S.- Patahi, District- East Champaran at Motihari.

... .. Petitioner

Versus

1. The State of Bihar
2. Murshida Khatoon, Wife of Sheikh Tanveer, Resident of Jhakhai Khan Tola, P.S.- Bairgania, District- Sitamarhi.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr. Hans Lal Kumar, Advocate
For the State	:	Mr. Bharat Bhushan, APP
For the Opp. Party No.2	:	Mr. Uday Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 09-03-2022 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 Bairgania P.S. Case No. 28 of 2017 registered for the offences under Sections 498/34 of the Indian Penal Code and under Section 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner and learned counsel for the opposite party no.2 jointly submit that both the parties are ready to live together as husband and wife.

In such view of the matter, the petitioner is directed



to visit his *Sasural* and take opposite party no.2 with him before 30.03.2022 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 mobile 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, Sitamarhi, in connection with Bairgania P.S. Case No. 28 of 2017, 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 opposite party no.2 will again appear before the learned Court below. The Court below will verify the conduct of 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, interim order dated 24.12.2021 shall continue.

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

(Sandeep Kumar, J)

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