

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56515 of 2021

Arising Out of PS. Case No.-172 Year-2019 Thana- PARBATTa District- Khagaria

1. SUDHIR SHARMA Son of Dashrath Sharma
2. Gita Devi @ Rita Devi Wife of Sudhir Sharma
Both are resident of Mohalla - Bela Bharatkhand, P.S. - Parbatta,
District - Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gunjan Kumari Daughter of Rajendra Sharma At - Bela Bharat Khand, P.S.-
Parbatta (Bharat Khand), Dist.- Khagaria

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 17370 of 2022

Arising Out of PS. Case No.-172 Year-2019 Thana- PARBATTa District- Khagaria

RISHIKESH BISHAWASH @ RUPESH KUMAR Son of Sudhir Prasad
Sharma @ Sudhir Sharma Residnet of Village - Bharatkhand, P.S.- Parbatta,
District - Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gunjan Kumari Wife of Rishikesh Bishawash @ Rupesh Kumar Daughter of
Rajendra Sharma, Residnet of Village - Chandpur, Post and P.S.- Gogri,
District - Khagaria.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 56515 of 2021)

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Arun Kumar

(In CRIMINAL MISCELLANEOUS No. 17370 of 2022)

For the Petitioner/s : Mr.Ranjan Kumar Jha

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 11-04-2022 Cr. Misc. No. 17370 of 2022 has been filed in

connection with the same F.I.R. (Parbatta P.S. Case No. 172 of



2019) listed at serial No. 1485 is taken on record and both the cases are now being heard together.

Re. Cr. Misc. No. 56515 of 2021

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

Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection with Parbatta P.S. Case No. 172 of 2019 registered for the offences punishable under Sections 498A of the Indian Penal Code.

Petitioner No. 1 is the father-in-law and petitioner No. 2 is the mother-in-law of the opposite party No. 2.

Considering the relations of the petitioners in the family, the present anticipatory bail application is allowed.

Accordingly, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM, 1st, Khagaria, in connection with Parbatta P.S.



Case No. 172 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Re. Cr. Misc. No. 17370 of 2022

Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party no.2.

The petitioner seeks anticipatory bail in connection with Parbatta P.S. Case No. 172 of 2019 registered for the offences under Section 498-A of the Indian Penal Code.

It is submitted at the Bar that the petitioner is ready to keep the opposite party no.2 with full honour and dignity.

In such view of the matter, the petitioner is directed to visit his *Sasural* and take opposite party no.2 with him before 02.05.2022 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 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 ACJM, 1st, Khagaria, in connection with Parbatta P.S. Case No. 172 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

After completion of three months, both the parties will again appear before the learned Court below. The Court below will verify the conduct of both the parties and thereafter take a decision either to confirm the provisional bail 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 the present case.

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

(Sandeep Kumar, J)

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