

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35554 of 2021

Arising Out of PS. Case No.-911 Year-2020 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Mohan Sah, Son of Sri Jawahar Sah, R/O Village- Teyai, P.O.- Dadpur, P.S.- Bhagwanpur, District- Begusarai. Presently Residing Of Quarter No.- D 1/10, Block D 1, Rohini Extension Sector 20, P.S.- Rohini, Delhi- 110081

... .. Petitioner

Versus

1. The State of Bihar.
2. Vandana Devi @ Kundan Devi Wife Of Mohan Sah, Daughter Of Ganga Narayan Sah R/O Village- Bhardia, Ward No.4, P.S.- Bhagwanpur, District- Begusarai

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party : Mr. Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 24-03-2022 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 Complaint Case No. 911 of 2020 registered for the offences under Section 498-A, 323, 354, 406 of the Indian Penal Code and under Section 3/4 of the Dowry Prohibition Act. However, cognizance has been taken under sections 323, 341, 504, 498-A of the Indian Penal Code.

The petitioner and opposite party no.2 are present



in person along with their advocates. Both the parties themselves submit that they want to stay 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 08.04.2022 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 Judicial Magistrate, 1st Class, Begusarai, in connection with Complaint Case No. 911 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 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 interim protection granted to the petitioner vide 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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