

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30053 of 2021

Arising Out of PS. Case No.-47 Year-2020 Thana- MAHILA P.S. District- Madhubani

PRABHASH KUMAR JHA @ PRABHAT KUMAR JHA, SON OF LATE
CHANDRA SHEKHAR JHA RESIDENT OF VILLAGE- BIRSAR, P.S.-
SAKRI, DISTRICT- MADHUBANI

... .. Petitioner/s

Versus

1. The State of Bihar
2. JULIE JHA, DAUGHTER OF DEVENDRA JHA RESIDENT OF
KHARGA GALI ROAD, D WARD NO. 2 NEAR SUDI MARRIAGE
HALL, P.O. AND P.S.- JAI NAGAR, DISTRICT- MADHUBANI

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Jha
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

- 3 21-01-2022 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no.2,
through Video Conferencing.

The petitioner seeks anticipatory bail in connection
with Madhubani Mahila P.S. Case No. 47 of 2020, registered for
the offences under Sections 323, 341, 498A, 379, 506/34 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is ready to keep the opposite party no.2 with full
honour and dignity.

It has been submitted by O.P. N.2 herself, who has
appeared in the virtual mode that her brother-in-law Nityanand



Gokul, who is an accused in this case, is playing mischief and he is one of the impediment in restoration of the matrimonial relationship between the parties.

It has been submitted by Mr. Amit Kumar Jha that he represents Nityanand Gokul also, who has been granted anticipatory bail by a coordinate Bench. Mr. Amit Kr. Jha undertakes on behalf of Nityanand Gokul that he will not disturb the matrimonial life of the petitioner and his wife.

In such view of the matter, the petitioner is directed to visit his *Sasural* and take opposite party no.2 with him before 10th of March, 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 S.D.J.M., Madhubani, in connection with



Madhubani Mahila P.S. Case No. 47 of 2020, 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 interim protection granted to the petitioner vide order dated 24.12.2021 shall continue to operate.

It is made clear that if any further complaint case is filed by the O.P. No.2 against Mr. Nityanand Gokul in the Court below, the Court below shall take all legal steps for cancellation of anticipatory bail granted to Mr. Nityanand Gokul.

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

(Sandeep Kumar, J)

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