

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30821 of 2021

Arising Out of PS. Case No.-261 Year-2020 Thana- PALASI District- Araria

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Md. Ishtekhar Son of Md. Rahmat Resident of Village - Pechaili, Koltola,
Ward no.- 9, P.S.- Palasi, District - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Kahsana Wife of Md. Ishtekhar Resident of Village - Pachauli, Koltola,
Ward no.- 9, P.S.- Palasi, District - Araria.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr.Kanchan Jha, Advocate
For the State : Mr.Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 01-04-2022 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, if any, within

a period of four weeks from today.

The matter is being heard through video conferencing

due to circumstances prevailing on account of Covid-19

pandemic.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks anticipatory bail in connection

with Palasi P.S. Case No.261 of 2020 registered for the offences

under Sections 341, 323, 498A, 494 and 504/34 of the Indian

Penal Code.



Despite service of notice upon opposite party no.2, no one has appeared.

It has been submitted by learned counsel for the petitioner 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 15.04.2022 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 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 Additional Chief Judicial Magistrate-1, Araria in connection with Palasi P.S. Case No.261 of 2020, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.



Till filing of the application by the opposite party no.2 and her husband in the court below, the petitioner shall not be arrested in connection with aforesaid case.

It is made clear that for non compliance of this order, bail bond of the petitioner shall stand automatically cancelled.

This application is, accordingly, disposed of.

(Sandeep Kumar, J)

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