

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40873 of 2021

Arising Out of PS. Case No.-87 Year-2019 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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BIRENDRA MANDAL, Son of Shankar Mandal, Resident of Village- Kodha,
P.S.- Lodipur, District- Bhagalpur.

... .. Petitioner

Versus

1. The State of Bihar
2. Janki Devi, W/o Birendra Mandal, D/o Late Goralal Mandal. At present
Address- R/village- Sardho, P.S.- Sabour, District- Bhagalpur.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Rajive Ranjan Singh, Advocate
For the State	:	Mr. Anil Prasad Singh, APP
For the Opp. Party No.2	:	Dr. Manoj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 24-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioners seek anticipatory bail in connection with Complaint Case No. 87 of 2021 registered for the offences under Section 498-A of the Indian Penal Code.

Learned counsel for the petitioner and learned counsel for the opposite party no.2 jointly submit that both the parties agree 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 15.02.2022 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, Bhagalpur, in connection with Complaint Case NO. 87 of 2019 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, the petitioner shall not be arrested in



connection with present case.

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

(Sandeep Kumar, J)

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