

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41026 of 2021

Arising Out of PS. Case No.-429 Year-2018 Thana- RAMPUR District- Gaya

Satish Kumar @ Satish Yadav, S/O Surender Yadav, R/O Village-Kewala, P.S-
Wazirganj, District-Gaya.

... .. Petitioner

Versus

1. The State of Bihar
2. Saroj Devi, W/O Satish Kumar @ Satish Yadav, R/O Village-Kewala, P.S-
Wazirganj, District-Gaya. At Present D/O Rameshwar Yadav, R/O Mohalla-
Chiraiyatand, P.S-Rampur, District-Gaya.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Manish Kumar No. 2, Advocate
For the Opposite Party	:	Mr. Lakshmi Kant Sharma, APP
For the O.P. No.2	:	Mr. Kunal Tiwary, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 02-03-2022 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 Rampur P.S. Case No. 429 of 2018 registered for the
offences under Sections 498-A and 494 of the Indian Penal
Code.

It has been submitted by learned counsel for the
petitioner that the petitioner is an Engineer in Indian Railways
and he is ready to keep his wife along with him at the place of
posting i.e. Kolkata.

In such view of the matter, the petitioner is directed



to visit his *Sasural* and take opposite party no.2 with him before 23.03.2022 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 Chief Judicial Magistrate, Gaya, in connection with Rampur P.S. Case No. 429 of 2018, 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.



It is made clear that if the petitioner does not take the opposite party no.2 to the place of his posting i.e. Kolkata and get her properly maintained then the opposite party no.2 shall have liberty to file an Interlocutory Application for cancellation of the anticipatory bail granted to the petitioner directly before this Court.

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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