

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42934 of 2021

Arising Out of PS. Case No.-350 Year-2018 Thana- KOILWAR District- Bhojpur

Kunal Krishna, Son of Rajendra Prasad Singh, Resident of Village - Nagraon,
P.S. - Charpokhari, District - Bhojpur, at present Resident of Mohalla - Gas
Agency Road, Pakari, P.S. Ara Nawada, District Bhojpur.

... .. Petitioner

Versus

1. The State of Bihar
2. Priyanka Singh, Wife of Kunal Krishna, D/o Vijay Kumar Singh, Resident
of Village - Suraudha Colony, P.S. - Koilwar, District Bhojpur.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Baxi S.R.P. Sinha, Senior Advocate
		Mr. Prem Ranjan Kumar, Advocate
For the State	:	Mr. Rajesh Kumar, APP
For Opp. Party No.2	:	Mr. Basant Kumar Singh, Advocate

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 Koilwar P.S. Case No. 350 of 2018 registered for the
offences under Sections 498-A & 379 of the Indian Penal Code
and under Sections 3/ 4 of the Dowry Prohibition Act.

Learned Senior Counsel for the petitioner submits
that the petitioner is ready to keep his wife i.e. 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



15.02.2022 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 Chief Judicial Magistrate, Bhojpur at Ara, in connection with Koilwar P.S. Case No. 350 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.

Till filling of the application by both the parties in



the Court below, the petitioner shall not be arrested in connection with present case.

The petitioner shall appear in the maintenance case bearing Maintenance Case No. 54 of 2017 filed by the opposite party no.2 in the Court of learned Principal Judge, Family Court, Ara. The maintenance case will be kept in abeyance for the next three months. In case, the petitioner does not mend his ways then, the maintenance case will be continued and it shall be decided in accordance with law keeping in mind the decision of the Hon'ble Supreme Court rendered in the case of ***Rajnish vs. Neha*** reported in ***(2021) 2 SCC 324***.

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

(Sandeep Kumar, J)

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