

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31251 of 2020**

Arising Out of PS. Case No.-180 Year-2019 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

ASARAPH RAIN @ ASARAPH ALI RAIN @ MOHD. ASHRAF, Son of Ali
Akabar Rain @ Alam Rain, Resident of Village- Birakh, P.S.- Sursand,
District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Hans Lal Kumar, Advocate
For the Opposite Party : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

11 11-04-2022

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 petitioners seek anticipatory bail in connection
with Complaint Case No. 180 of 2019 registered for the
offences under Sections 323, 498-A & 312 of the Indian Penal
Code and under Section 4 of the Dowry Prohibition Act.

It has been submitted by learned counsel for the
petitioner that the petitioner is ready to keep his wife
(informant) with full honour and dignity.

In such view of the matter, the petitioner is directed
to visit his *Sasural* and take informant with him before
27.04.2022 and thereafter both of them 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 the informant 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., Pupri, Sitamarhi, in connection with Complaint Case No. 180 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 informant will again appear before the learned Court below. The Court below will verify the conduct of petitioner and informant 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, interim protection granted to the petitioner vide order dated 08.04.2021 shall continue.



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

(Sandeep Kumar, J)

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