

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42959 of 2021

Arising Out of PS. Case No.-77 Year-2020 Thana- MAHILA P.S. District- Saran

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Rohit Kumar, S/O Vidya Bhagat Mishra @ Sugga Pandit, resident of Village-
Parsa Bazar, P.S-Ekma, District-Saran (Chapra).

... .. Petitioner

Versus

1. The State of Bihar.
2. Dolly Kumari, W/O Rohit Kumar, D/O Nityanand Mishra, R/O Village-
Brahmpur (Near Dih), P.S.- Bhagwan Bazar, District-Saran (Chapra).

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Mukesh Kumar Singh, Advocate
For the State	:	Mr. Sanjay Kumar Pandey, APP
For the Opp. Party No.2	:	Mr. Akhileshwar Pandey, 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 Mahila Saran P.S. Case No. 77 of 2020 registered for the
offences under Section 498-A of the Indian Penal Code and
under Sections 3/ 4 of the Dowry Prohibition Act.

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 Sub Divisional Judicial Magistrate, Saran at Chapra, in connection with Mahila Saran P.S. Case No. 77 of 2020 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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