

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44758 of 2021

Arising Out of PS. Case No.-13 Year-2018 Thana- MAHILA P.S. District- Saran

RIYAZ KHAN, son of Late Niyamuddin Khan, Resident of Village -
Durdaha, P.S. - Manjhi, District - Saran at chapra.

... .. Petitioner

Versus

1. The State of Bihar.
2. Rubi Tabasum Firdosh. W/O- Riyaz Khan, Daughter of Fakare @ Fakir alam
Resident of Village - Durdaha Khurd, P.S. - Manjh, District - Saran at
chapra.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Udai Shankar Singh, Advocate
For the State	:	Mr. Amit Kumar Rakesh, APP
For the Opp. Party No.2	:	Mr. Padmanabh Kashyap, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 21-03-2022 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 petitioners seek anticipatory bail in connection
with Mahila P.S. Case No. 13 of 2018 registered for the
offences under Sections 341, 323, 379, 498-A/34 of the Indian
Penal Code.

Learned counsel for the petitioner submits that the
petitioner is ready to keep opposite party no.2 with full honour
and dignity. A statement to this effect has been made in
paragraph no.15 of this bail application.



Learned counsel for the opposite party no.2 submits that opposite party no.2 is also ready to live with the petitioner.

In such view of the matter, the petitioner is directed to visit his *Sasural* and take opposite party no.2 with him before 05.04.2022 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 P.S. Case No. 13 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 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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