

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45712 of 2021**

Arising Out of PS. Case No.-797 Year-2020 Thana- BETTIAH CITY District- West
Champaran

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ASHISH KUMAR RAI @ LUCKY Son of Satish Rai Resident of Village -
Laxmipur, P.s.- Bhariroganj, Distt.- West Champaran.

... .. Petitioner

Versus

1. The State of Bihar.
2. Guddi Kumari, W/o Ashish Kumar Rai @ Lucky, D/o Sanjay Kumar Panday, Resident of Village-Laxmipur, P.S.-Bhairoganj, Distt.- West Champaran at Present resident of Village - Hanumath Nagar, Bettiah Ward No.4, P.S.- Kalibagho, P. (Bettiah Nagar), Dist.- West Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Gauri Shankar Thakur, Advocate
For the State	:	Ms. Veena Rani Prasad, APP
For Opp. Party No.2	:	Mr. Onkar Nath, Advocate
		Mr. Mukesh Kumar Pandey, Advocate
		Mr. Panchananand Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 02-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks anticipatory bail in connection with Bettiah (T) (Kalibagh O.P.) P.S. Case No. 797 of 2020 registered for the offences under Sections 323, 341, 342, 313, 406, 498-A, 509 of the Indian Penal Code.

Learned counsel for the petitioner and learned counsel for the opposite party no.2 jointly submit that both the parties are ready 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 17.02.2022 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, Bettiah, West Champaran, in connection with Bettiah (T) (Kalibagh O.P.) P.S. Case No. 797 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 both the parties 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 aforesaid case.

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

(Sandeep Kumar, J)

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