

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49242 of 2021

Arising Out of PS. Case No.-2478 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

Abhishek Kumar @ Abhishek Kumar Mishra Son of Awadhesh Mishra
Resident of Village- Gandaman, P.S.- Masrakh, District- Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanju Kumari Wife of Abhishek Kumar, Daughter of Late Rajeshwar Mishra
Resident of District Board Office Campus, Beli Sarai, P.S.- Motihari Town,
District- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Vijay Shankar Shrivastava, Advocate
For the State	:	Mr.Chandra Sen Prasad Singh, APP
For Opp. Party No.2	:	Mr. Dhananjay Kumar No.2 Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 03-02-2022 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no.2
through video conferencing.

The petitioner seeks anticipatory bail in connection
with Trial No. 2275 of 2019 arising out of Complaint Case
No.2478 of 2018 registered for the offences under Sections 341,
352, 323, 324, 354(b)(c), 313, 376/511, 498(A), 406, 307, 379
and 34 of the Indian Penal Code and Sections 3/ 4 of the
Dowry Prohibition Act but learned Magistrate has taken
cognizance under section 498(A) of the IPC and Sections 3/ 4
of the Dowry Prohibition Act.



Specific statement has been made in paragraph 11 of the bail petition that the petitioner is ready to keep the 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 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 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, Sadar Motihari, East Champaran in connection with Trial No. 2275 of 2019 arising out of Complaint Case No.2478 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

For non-compliance of this order, the bail bond of the



petitioner shall stand automatically cancelled.

With the aforesaid observation and direction, this application is allowed.

(Sandeep Kumar, J)

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