

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2108 of 2021**

Arising Out of PS. Case No.-80 Year-2019 Thana- MAHILA P.S. District- Siwan

MOHAMAD FERROJ AHMAD S/O MD. YAKUB R/O VILLAGE-JAMA
KASJID ROAD, SUBAS MARG, PO HAZARIBAG, PS HAJARIBAG
SADAR, DISTRICT HAJARIBAG

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. YASMIN FARHA D/O LATE ABDUL MAZID R/O MUHALA-PURANI
KILA, NEAR BULAND DARWAJA, PS-SIWAN TOWN, DISTRICT-
SIWAN.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Chandra Kant
For the O.P. No. 2	:	Mr. Kanishk Kaustubh
For the Opposite Party/s	:	Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 05-04-2022 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no.2.

The petitioner seeks anticipatory bail in connection with Mahila P.S. Case No. 80 of 2019 registered for the offences under Section 498-A of the Indian Penal Code and under Sections 3/4 of the Dowry Prohibition Act.

The opposite party No. 2 has agreed to join the matrimonial house only when the learned counsel for the petitioner has submitted on instruction that the petitioner has not remarried and in paragraph No. 10 of the bail petition, specific statement was made 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 25.04.2022 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 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 SDJM, Siwan, in connection with Mahila P.S. Case No. 80 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

After completion of three months, both the parties 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 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 the present case.

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

(Sandeep Kumar, J)

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