

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2414 of 2021

Arising Out of PS. Case No.-31 Year-2020 Thana- BARSOI District- Katihar

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Rustam @ Md. Rustam Ali Son of Md. Gulazar Resident of Village - Kota Kariganj, P.S.- Barsoi, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mumtaz Begum Wife of Rustam @ Md. Rustam Ali, D/o- Late Mukhtar Alam Resident of Village - Jota Karimganj, P.S.- Barsoi, District- Katihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh
For the Opposite Party/s : Mr. Ananat Kumar

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 31-03-2022 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 Barsoi P.S. Case No. 31/2020 registered for the offences under Section 498-A and other allied sections of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act.

In paragraph No. 13 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 18th of April, 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 S.D.J.M., Katihar, in connection with Barsoi P.S. Case No. 31/2020, 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 interim protection granted to the petitioner vide order dated 15.11.2021 shall continue to operate.

With the aforesaid observations and directions, this



bail petition is allowed.

(Sandeep Kumar, J)

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