

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60325 of 2021

Arising Out of PS. Case No.-227 Year-2021 Thana- ALAMGANJ District- Patna

Dilip Kumar @ Dilip Mehta, Son of Girja Mahto, Resident of Village -
Sultanpur Koiri Tola, P.S.- Danapur, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Komal Kumari, W/O Dilip Mehta, D/O Dhananjay Mehta R/O Mohalla-
Koyri Tola, Laxmanpur, P.S. Alamganj, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the Opposite Party/s	:	Mr. Vinod Shanker Modi, APP
For Opp. Party No.2	:	Mr. Raj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 25-03-2022 The matter is being heard through video conferencing

due to circumstances prevailing on account of Covid-19

pandemic.

Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for opposite party no.2.

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 petitioner apprehends his arrest in connection
with Alamganj P.S. Case No. 227 of 2021 registered for the
offences under Sections 498(A), 323/34 of the Indian Penal
Code and Sections 3/4 of the Dowry Prohibition Act.



Pursuant to the order dated 03.02.2022 notice was issued to opposite party no.2.

It has been submitted by Mr. Sanjay Kumar, learned counsel for the petitioner that the petitioner is ready to keep his wife with full honour and dignity and for that matter he has already filed a petition for restitution of conjugal rights.

In such view of the matter, the petitioner is directed to visit his Sasural and take opposite party no.2 with him before 12.04.2022 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 Additional Chief Judicial Magistrate-I, Patna City, Patna in connection with Alamganj P.S. Case no. 227 of 2021 subject to the condition as laid down under Section



438(2) of the Code of Criminal Procedure.

Till filing of the application by the opposite party no.2 and her husband (petitioner) in the court below, the petitioner shall not be arrested in connection with aforesaid case.

It is made clear that for non compliance of this order, bail bond of the petitioner shall stand automatically cancelled.

This application is, accordingly, disposed of.

(Sandeep Kumar, J)

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