

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53376 of 2022

Arising Out of PS. Case No.-22 Year-2022 Thana- MAHILA P.S. District- Lakhisarai

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ASHOK KUMAR, S/O LATE MUSHO MAHTO @ MUSO MAHTO,
Resident of village- Sethana, P.S.- Halsi, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. SUNAINA KUMARI, W/O ASHOK KUMAR, Resident of village-
Sethana, P.S.- Halsi, District- Lakhisarai,

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Rabi Bhushan, Advocate
For the State	:	Mr.Shyam Bihari Singh, APP
For the Informant	:	Mr.Yogesh Chandra Verma, Sr. Advocate Mr.Rajnish Chandra, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 23-12-2022 Today being Friday, matters are being taken up
through virtual mode, as per current procedure for hearing.

2. Heard learned counsel for the petitioner, as
well as learned counsel for the informant and the learned APP
for the State.

3. The petitioner seeks bail in connection with
Mahila P.S. Case No.22 of 2022 registered for the offences
punishable under Sections 341, 323, 498(A), 494 and 506 of the
Indian Penal Code.

4. Since 28.06.2022 the petitioner is stated to
be in custody. The informant has alleged that she has been
subjected to cruelty by the petitioner who has solemnized



marriage with another lady.

5. The parties are in agreement that efforts may be made for resolution of the dispute in mediation proceedings.

6. Considering the submissions also the facts and circumstances of the case, this Court would direct that to facilitate amicable resolution between the parties, the petitioner would be released on provisional bail for a period of three months in connection with Mahila P.S. Case No.22 of 2022 to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

7. The learned Trial Court will review the situation after three months as regards any amicable resolution that may be formalized between the parties, including allowing the informant to reside with the petitioner. If such a compromise is achieved the bail shall be confirmed. Otherwise, the Court below would be at liberty to pass appropriate orders in



accordance with law, which may include cancellation of provisional bail granted to the petitioner.

8. The application stands disposed of.

(Madhuresh Prasad, J)

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