

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64327 of 2021

Arising Out of PS. Case No.-491 Year-2019 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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1. Shambhu Nath Mishra Son Of Late Indradeo Dutt Mishra R/O Village- Baidekori, P.S.- Charpokhari, District- Bhojpur At Ara
 2. Umesh Mishra Son Of Shambhu Nath Mishra R/O Village- Baidekori, P.S.- Charpokhari, District- Bhojpur At Ara
 3. Subodh Mishra Son Of Shambhu Nath Mishra R/O Village- Baidekori, P.S.- Charpokhari, District- Bhojpur At Ara
 4. Pramila Devi Wife Of Umesh Mishra R/O Village- Baidekori, P.S.- Charpokhari, District- Bhojpur At Ara
 5. Rinki Devi Wife Of Subodh Mishra R/O Village- Baidekori, P.S.- Charpokhari, District- Bhojpur At Ara

... .. Petitioners

Versus

1. The State of Bihar
2. Aditi Mishra Wife Of Shashi Ranjan Mishra, D/O- Raj Kumar Mishra Presiding Residing At Village- Osai Ganj, P.S.- Bihiyan, District- Bhojpur At Ara

... .. Opposite Parties

Appearance :

For the Petitioners : Mr. Jeetendra Narayan, Advocate
For the Opposite Parties : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 03-02-2022 Heard learned counsel for the parties through video conferencing.

The petitioners seek anticipatory bail in connection with Bhojpur Complaint Case No. 491 (C) of 2019 registered for the offences under Sections 341, 323, 328, 504, 506 and 498(A) of the Indian Penal Code and under Section 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioners submits that the Shashi Ranjan Mishra, husband of the opposite party No.2, is ready to keep the opposite party No.2 with full honour and dignity.

In such view of the matter, Shashi Ranjan Mishra, husband of the opposite party No.2, is directed to visit his Sasural and take opposite party No.2 with him before 17th of February, 2022 and, thereafter, the opposite party no.2 and her husband will file an application in the Court below that they have amicably settled their disputes and they are staying together. Husband of the opposite party no.2, namely, Shashi Ranjan Mishra 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 the opposite party No.2 and her husband in the Court below, the Court below will release the petitioners on provisional bail for a period of three months on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bhojpur at Ara, in connection with Bhojpur Complaint Case No. 491(C) of 2019 subject to the condition as

laid down under Section 438(2) of the Code of Criminal Procedure.

After completion of three months, both of them (Shashi Ranjan Mishra, husband of the opposite party No.2 and opposite party No.2) will again appear before the learned Court below. The Court below will verify the conduct of both of them and thereafter take a decision either to confirm the provisional bail of the above named petitioners or to cancel the same in the facts of the case.

Till filling of the application by the opposite party No.2 and her husband in the Court below, the petitioners shall not be arrested in connection with aforesaid case.

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

(Sandeep Kumar, J)

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