

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64567 of 2021**

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

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SHASHI RANJAN MISHRA, S/o Shambhu Nath Mishra, R/o village-
Baidekori, P.S.- Charpokhari, District- Bhojpur at Ara

... .. Petitioner/s

Versus

1. The State of Bihar
2. Aditi Mishra, W/o Shashi Ranjan Mishra, D/o Raj Kumar Mishra, Presiding
resident at Village- Osai Ganj, P.S.- Bihiyan, District- Bhojpur at Ara

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan, Advocate

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

3 25-03-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing.

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 Complaint Case No. 491 (C) of 2019 registered for the
offences under Sections 341, 323, 328, 504, 506 and 498A 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.



Learned counsel for the petitioner submits that the petitioner has already filed a petition for restitution of conjugal rights and he is ready to keep his wife 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 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 Sub-Divisional Judicial Magistrate, Bhojpur at Ara, in connection with Complaint Case no. 491 (C) of 2019 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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