

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.70256 of 2021

Arising Out of PS. Case No.-523 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

Bipul Kumar @ Bittu Kumar Singh @ Bipul Kumar Bittu Son of Late Bhola Singh Resident of Village - Subhai, P.S.- Hajipur Sadar, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Ramesh Kumar Choudhary, Advocate
For the State	:	Mr. Sanjay Kumar Sharma, APP
For the Informant		Mr. Subodh Prasad, Ms. Madhu Prasad, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 02-03-2022 Heard learned counsel for the petitioner and learned
APP for the State as well as learned counsel for the informant.

The petitioner apprehends his arrest in connection with Hajipur Sadar P.S. Case No.523 of 2021 registered for offences under Sections 498A and 365/34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

Although a divorce case is pending which has been filed by the petitioner but the petitioner is still ready to stay with his wife as he has six years old daughter who is staying with him. The petitioner is working in Assam.

Learned counsel for the informant also submits that



the wife is ready to stay with the petitioner.

In such view of the matter, the petitioner is directed to visit his Sasural and take the wife with him before 24th of March, 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 his wife 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 Chief Judicial Magistrate, Hajipur, Vaishali in connection with Hajipur Sadar P.S. Case No.523 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 in the court below, the petitioners 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.



With the aforesaid observation and direction, the application is allowed.

(Sandeep Kumar, J)

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