

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59539 of 2019

Arising Out of PS. Case No.-921 Year-2018 Thana- KATIHAR COMPLAINT CASE
District- Katihar

Shivnath Kumar @ Shivnath Choudhary Son of Asharfi Choudhary Resident of Village - Mamrejpur, P.S.- Desri, Distt - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Josi Devi Wife of Shivnath Kumar @ Shivnath Choudhary Resident of Village - Mamrej, P.S.- Desri, Distt - Vaishali. At present resident of Village behind Harishankar Nayak High School, P.S.- Sahayak (Katihar), Distt - Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Md. Musowir, Advocate
For the State	:	Mrs. Sucheta Yadav, APP
For Opposite Party No.2	:	Mr. Sanchay Srivastava, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 12-04-2022 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party no.2.

The petitioner seeks anticipatory bail in connection with C.A. Case No. 921 of 2018 for the offences under Sections 498A, 323, 325 and 504/34 of the Indian Penal Code.

Pursuant to the order dated 23.09.2019, notice was issued to opposite party no.2, who has appeared and filed her Vakalatnama.

Specific statement has been made in paragraph 7 of the bail application that the petitioner is ready to keep the opposite party no.2 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 26.04.2022 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 Chief Judicial Magistrate, Katihar, District Katihar in connection with C.A. Case No. 921 of 2018, 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 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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