

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85027 of 2019

Arising Out of PS. Case No.-1646 Year-2018 Thana- SARAN COMPLAINT CASE District-
Saran

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RAKESH YADAV, Son of Late Terash Yadav, Resident of Village - Siristapur,
P.S.- Janta Bazar, District - Saran.

... .. Petitioner

Versus

1. The State of Bihar.
2. Bindu Devi, Wife of Rakesh Yadav, D/O-Late Ramji Yadav, Resident of Village - Siristapur, P.S.- Janta Bazar, District – Saran. At Present resident of Village - Natwar Gopi, P.S.- Manjhi, District - Saran.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Arif Daula Siddiquie, Advocate
For the State	:	Mr. Damodar Prasad Tiwary, APP
For the Opp. Party No.2	:	Mr. Chandra Mohan Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 24-03-2022 Heard learned counsel for the parties.

The petitioner seeks anticipatory bail in connection with Trial No. 2716 of 2019, arising out of Complaint Case No. C1646 of 2018 registered for the offences under Section 498-A of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act.

The petitioner and opposite party no.2 are present in person along with their advocates. Both the parties themselves submit that they want to stay together as husband and wife.

In such view of the matter, the petitioner is directed



to visit his *Sasural* and take opposite party no.2 with him before 08.04.2022 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 mobile 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, Chapra, District- Saran, in connection with Trial No. 2716 of 2019, arising out of Complaint Case No. C1646 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

After completion of three months, the petitioner and opposite party no.2 will again appear in the learned Court below. The Court below will verify the conduct of the petitioner and opposite party no.2 and thereafter take a decision either to confirm the provisional bail of the petitioner or to cancel the



same in the facts of the case.

Till filling of the application by both the parties in the Court below, the petitioner shall not be arrested in connection with aforesaid case.

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

(Sandeep Kumar, J)

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