

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83027 of 2019

Arising Out of PS. Case No.-1059 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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1. RAJA THAKUR, Son of Jaygovind Thakur.
 2. Jaygovind Thakur, Son of Late Sitaram Thakur.
 3. Usha Devi Wife of Jaygovind Thakur.
All resident of Village- Asogi, P.S.- Bairganiya, District- Sitamarhi.

... .. Petitioners

Versus

1. The State of Bihar.
2. Soni Kumari @ Soni Devi D/o Chulhai Thakur, Resident of Village-
Murelwa (Purenwa Darbar), P.S.- Gaur, District- Rautat (Nepal).

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Anil Kumar, Advocate
For the Opposite Party	:	Mr. Khurshid Anwar, APP
For Opp. Party No. 2	:	Mr. Dinesh Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

6 21-03-2022 Heard learned counsel for the parties.

The petitioner seeks anticipatory bail in connection with Trial No. 3324 of 2019, arising out of Complaint Case No. 1059 of 2018 registered for the offences under Section 498(A)/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioner no.1, who happens to be the husband of the opposite party no.2, is ready to keep opposite party no.2 with full honour and dignity.

Learned counsel for the opposite party no.2



submits that opposite party no.2 is also ready to live with petitioner no.1.

In such view of the matter, the petitioner no.1 is directed to visit his *Sasural* and take opposite party no.2 with him before 04.04.2022 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 no.1 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 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, Sadar, Sitamarhi, in connection with Trial No. 3324 of 2019, arising out of Complaint Case No. 1059 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 no.1 and opposite party no.2 will again appear before the



learned Court below. The Court below will verify the conduct of petitioner no.1 and opposite party no.2 and thereafter take a decision either to confirm the provisional bail of the petitioners 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 interim protection granted to the petitioners vide order dated 16.12.2019 shall continue

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

(Sandeep Kumar, J)

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