

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27447 of 2023

Arising Out of PS. Case No.-209 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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Shankar Kumar S/O- Lal Babu Paswan Village- Nainchak Ps- Danapur Dist-
Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushboo Kumar D/o- Late Lallu Paswan Village- Gyaspur Ps- Salimpur
Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Adv.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 06-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

2. Heard learned counsel for the petitioner, learned
counsel for the complainant and learned A.P.P. for the State.

3. The petitioner seeks regular bail in connection with
Complaint Case No. 209(C) of 2021 lodged under Sections 323,
341, 498(A), 504, 506, 34 of the I.P.C.

4. As per the prosecution case, the allegation of
Section 498(A) is against the petitioner.

5. Learned counsel for the petitioner submits that
under unfortunate circumstances, misunderstanding has
developed between husband and wife, which resulted into filing

of the case by the wife. Counsel submits that he has categorically stated in paragraph-9 of the petition that petitioner is ready to keep his wife with full honor and dignity but she is not ready to live with the petitioner.

6. Learned counsel for the O.P. No. 2 *suo moto* appeared and submits that complainant/ O.P. No. 2 is ready to live with the petitioner. Counsel also assures that she shall start living with her husband.

7. Learned counsel for the petitioner further submits that the antecedent of the petitioner is clean and he is in custody since 16.02.2023.

8. Learned counsel for the State opposes the prayer for bail.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted interim bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) as an interim measure with two sureties of the like amount each to the satisfaction of learned J.M.- 1st Class, Barh, Patna in connection with Complaint Case No. 209(C) of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

10. After coming out from jail, the petitioner shall

appear before the Court of A.C.J.M- 1st Barh, Patna (where Complaint Case No. 209(C) of 2021 is pending/ any other appropriate Court of Magistrate where the present case is pending) who shall refer this matter either before Mediation or himself conciliate between the petitioner (accused) and the complainant/ O.P. No. 2 and do all the needful, so that both shall start living together peacefully. If the said process shall not be completed within three months, due to inaction on the part of the petitioner, his interim bail shall be cancelled.

11. But if the complainant shall refused to live with the petitioner, the interim bail granted by this Court shall be confirmed.

12. With this observation, the bail application stands disposed off.

(Dr. Anshuman, J.)

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