

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36703 of 2022

Arising Out of PS. Case No.-57 Year-2021 Thana- MAHILA P.S. District- Sheikhpura

Md Shamim Son Of Md Nasim Resident Of Village- Babuwank, P.S.- Jhajha,
District- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate
For the Opposite Party/s : Md. Irshad, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 24-04-2023 Heard Mr. Amrendra Kumar, learned counsel
appearing on behalf of the petitioner and Md. Irshad, learned
APP appearing on behalf of the State.

2. The petitioner seeks anticipatory bail in connection
with Sheikhpur Mahila P.S. Case No. 57 of 2021 registered
under Sections 498(A) and 34 of the Indian Penal Code and
Section 3/4 of the Dowry Prohibition Act.

3. The prosecution story, in brief, is that the Opposite
Party No. 2 was married with the petitioner and after that her in-
laws including the petitioner started assaulting her and making
demand of dowry.

4. Vide order dated 22.02.2023, the matter was sent
before the Mediation Centre for reconciliation between the
parties but the mediation has failed. A report of learned mediator
is on record.



5. Learned counsel appearing on behalf of the petitioner informs this Court that petitioner is ready to keep the opposite party no. 2, who is his legally wedded wife, with full dignity and honour and he will fulfill all the physical as well as financial requirement of the opposite party no. 2.

6. Learned counsel appearing on behalf of the opposite party no. 2 informs this Court that the opposite party no. 2 is also ready to live along with the petitioner.

7. Considering the willingness of the parties and in the interest of justice, this Court finds that the petitioner be released provisionally on pre-arrest bail so that he can lead a happy conjugal life subject to the condition that either party should not resort to any illegal act. The petitioner is directed to be released provisionally on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sheikhpura in connection with Sheikhpura Mahila P.S. Case No. 57 of 2021, on such terms and conditions as the court below deems it fit and proper.

8. If no complaint is found to be made by either parties for one year, the provisional bail granted to the petitioner



shall be made absolute subject to the terms and conditions as laid down under Section 438(2) of the Cr.P.C. and further any condition fixed by the Court below.

9. Accordingly, the present bail application is disposed of.

(Purnendu Singh, J)

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