

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47613 of 2022**

Arising Out of PS. Case No.-294 Year-2019 Thana- KATEYA District- Gopalganj

Ramu Kushwaha, Son of Shastri Kushwaha, Resident of - Parsauni, Police Station- Kateya, District - Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanti Kushwaha, Female, Daughter of Kedar Bhagat, Resident of - Parsauni, Police Station- Kateya, District - Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prince Kumar Mishra, Advocate.
For the Opposite Party	:	Mr. Javed Aslam, Advocate.
For the State	:	Mr. Zainul Abedin, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 13-03-2023 Heard Mr. Prince Kumar Mishra, learned counsel appearing on behalf of the petitioner; Mr. Javed Aslam, learned counsel appearing on behalf of the opposite party no.2 and Mr. Zainul Abedin, learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in connection with Kateya P.S. Case No. 294 of 2019 registered under Sections 313, 323 and 307 of the Indian Penal Code and Sections 7 and 8 of the Prevention of Children from Sexual Offences Act, 2012. After investigation, the police submitted charge-sheet only under Section 498-A of the Indian Penal Code against the petitioner.

3. Parties have agreed to settle their matrimonial dispute amicably without interference of any of the family members.



4. Considering the willingness of the parties that they are ready to settle their matrimonial dispute amicably, it would be in the interest of justice to grant the petitioner pre-arrest bail provisionally.

5. The petitioner is directed to be released on pre-arrest bail provisionally in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each, out of which one must be father of the petitioner, to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Judge, (POCSO), Gopalganj in connection with Kateya P.S. Case No. 294 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

6. In case there is no complaint made by either of the parties, the Court below shall confirm the provisional bail granted to the petitioner after a period of one year on such terms and conditions as it deem fit and proper.

(Purnendu Singh, J)

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