

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.62571 of 2023**

Arising Out of PS. Case No.-360 Year-2021 Thana- MASHRAK District- Saran

Vikash Kumar son of Mahadev Prasad Village- Babu ke Chhapiya Ps-  
Mashrakh Dist- Saran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rupa Devi Wife of Vikash Kumar Prasad Village- Bangra Ps- Mashrakh  
Dist- Saran

... .. Opposite Party/s

**Appearance :**

|                      |   |                               |
|----------------------|---|-------------------------------|
| For the Petitioner/s | : | Mr. Nalin Kumar, Advocate     |
| For the State        | : | Ms. Pushpa Sinha, APP         |
| For the Informant    | : | Mr. Dherendra Singh, Advocate |

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

- 3      18-10-2023      1.      Heard learned counsel for the petitioner and learned  
counsel for the Opposite Party No. 2.
2.      The petitioner is apprehending his arrest in connection  
with Mashrakh P.S. Case No. 360 of 2021 registered for the  
offence punishable under Section 498A of the Indian Penal  
Code (for brevity 'I.P.C.').
3.      The complaint case has been lodged under Section 498A,  
two (2) years after the marriage.
4.      Learned counsel for the Opposite Party No. 2 submits  
that Opposite party No. 2 is desirous of living with the  
petitioner.
5.      Learned counsel for the petitioner also submits that he



has no objection, rather he is more than willing to reside with opposite party No. 2 and maintain her with full honour and dignity.

6. In view of such submissions, since parties are desirous of living together, this Court is inclined to allow petitioner's prayer for grant of anticipatory bail.

7. Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1<sup>st</sup> Class, Saran, in connection with Mashrakh P.S. Case No. 360 of 2021, subject to the following conditions:

(i) That one of the bailors of each of the petitioners will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

8. The Trial Court will review the position after three



months and pass appropriate orders, which may include orders of cancellation of anticipatory bail being granted to the petitioner by this order.

(Madhuresh Prasad, J)

Raj kishore/-

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