

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60261 of 2022

Arising Out of PS. Case No.-201 Year-2020 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Dheeraj Kumar @ Dheeraj Patel Son Of Dhramdeo Patel @ Dharmdeo Raut
R/O Village- Bhopatpur, Malahi Tola, P.S.- Bajhia, O.P.- Kotwa, District- East
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sipu Devi Wife Of Dheeraj Patel, D/O Subash Patel At Present R/O Village-
Sarotar, P.S.- Dumariaghat, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Ranjan, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 29-04-2023 Heard Mr. Rajesh Ranjan, learned counsel appearing

on behalf of the petitioner and Mr. Manoj Kumar, learned APP

for the State.

2. The petitioner seeks pre-arrest bail in connection
with Trial No. 992 of 2022 arising out of Complaint Case No.
201 of 2020 registered for the offence punishable under Section
498 A of the Indian Penal Code.

3. The matter relates to matrimonial dispute between
the husband (petitioner) and the wife (opposite party no. 2).

4. Learned counsel appearing on behalf of the
petitioner submitted that strained relationship between the
parties because the opposite party no. 2 is not ready to live



along with the old ailing parents of the petitioner. Learned counsel further submitted that he has received instruction from the petitioner that to get rid of this case and for peace of mind and to lead a happy matrimonial life, the petitioner has decided to live along with the opposite party no. 2 in a separate house.

5. Considering the specific submission made on behalf of the petitioner, I am of the opinion that if the petitioner files an affidavit before the learned Court below that he will live in separate house then the learned Court below is directed to release the petitioner provisionally on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of two 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 Chief Judicial Magistrate, East Champaran, Motihari in connection with Trial No. 992 of 2022 arising out of Complaint Case No. 201 of 2020, on any terms and conditions as fixed by the Court below.

6. In case, the opposite party no. 2 makes any complain against the petitioner then the provisional bail granted by this Court will cease to operate. However, in case, no complain is 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.

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

(Purnendu Singh, J)

Niraj/-

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