

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44602 of 2023

Arising Out of PS. Case No.-635 Year-2022 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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SHAILESH RAM @ SHAILENDRA RAM SON OF LATE
BANSHALOCHAN RAM resident of GRAM MASOI, POST AMAON,
AKHALASPUR, DIST- KAIMUR (BHABUA), BIHAR- 821106

... .. Petitioner/s

Versus

1. The State of Bihar
2. CHANDA KUMARI WIFE OF SHAILESH RAM @ SHAILENDRA RAM
RESIDENT OF VILLAGE- MASOI, PS- CHAINPUR, DIST- KAIMUR
(BHABUA), BIHAR- 821106. PRESENTLY RESIDING AT D/O- RAM
NARAYAN RAM, R/O VILLAGE- BHOKHRI, PO- BISHODIHRI, PS-
KARGHAR, DIST- ROHTAS

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priyajeet Pandey
For the Opposite Party/s : Mr. Syed Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 30-04-2024 1. Heard learned counsel for the petitioner and

learned A.P.P. for the State along with learned counsel appearing

on behalf of the O.P. No. 2.
2. The petitioner apprehends his arrest in a case

registered for the offences punishable under Sections 323 and

498A of the Indian Penal Code.
3. The learned counsel appearing on behalf of the O.P.

No. 2 submits that he has instruction not to oppose the

anticipatory bail application of the petitioner provided the

petitioner is ready to return the motorcycle which was gifted to



him at the time of marriage, on which the learned counsel for the petitioner submits that an agreement was entered in between the petitioner and the O.P. No. 2 wherein it was recorded that the motorcycle will remain with the petitioner in lieu of five ornaments which the O.P. No. 2 had kept for herself which was gifted to her from the side of the petitioner's family.

4. The learned counsel next submits that no doubt the agreement is there and a copy of the same has also been given by the petitioner but then he has instructions to make submission that petitioner will return the gifted motorcycle to the O.P. No. 2.

5. The learned counsel appearing on behalf of the O.P. No. 2 submits that all the cases instituted from the side of the O.P. No. 2 against the petitioner in different Courts shall be withdrawn including the case relating to maintenance.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is



pending/successor court in connection with Complaint Case No. 635 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that the O.P. No. 2 shall be at liberty to file an application before this Court seeking cancellation of the anticipatory bail granted to the petitioner in the event if the petitioner does not return the gifted motorcycle to the O.P. No. 2.

(Satyavrat Verma, J)

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