

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59038 of 2023

Arising Out of PS. Case No.-3477 Year-2022 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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Kanhaiya Kumar, Son Of Late Ramraj Choudhary Village- Sariyavn, Ps-
Mohania, Dist- Kaimur (BHABUA)

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Puja Kumari @ Sanjana Kumari, Wife Of Kanhaiya Kumar Village-
Sariyavn, Ps- Mohania, Dist- Kaimur (BHABUA). At Present D/O Vijay
Bahadur Choudhary, Resident Of Villate- Patserwa, Ps- Mohania, Dist-
Kaimur (Bhabua)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Jay Prakash Singh
For the Opposite Party/s :	Mr.Pradeep Narain Kumar
	Mr.Tribhuwan Narayan

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 6 30-04-2024 1. Heard learned counsel for the petitioner, learned
counsel for the opposite party no.2 and learned APP for the
State.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 498(A) of the Indian Penal Code and Section 4 of the D.
P. Act.
3. The learned counsel for the parties jointly submits
that the case was referred for mediation, but then, the mediation
proceeding failed.
4. The learned counsel for the appearing on behalf of



the opposite party no.2 submits that during the course of mediation proceeding, the petitioner had submitted that he was ready to keep the opposite party no.2 with honour and dignity, as such, in presence of the learned Mediator, the opposite party no.2 had gone to her matrimonial home along with the petitioner, but after sometime, when the case was again taken up before the learned Mediator, the opposite party no.2 informed that she was tortured at the house of the petitioner, as such, the mediation proceeding failed. It is next submitted that after the mediation proceeding failed, the petitioner and the informant on intervention of well-wishers have again resolved their dispute and the opposite party no.2 presently is staying at her matrimonial home with the petitioner. It is also submitted that the opposite party no.2 apprehends that after the instant case is disposed of the petitioner will again oust her from matrimonial home.

5. The learned counsel appearing on behalf of the petitioner submits that petitioner and the opposite party no.2 are enjoying their conjugal life and normal wear and tear of life was portrayed as an offence, but then, assures the Court that he will take good care of the opposite party no.2 and will ensure her well being. The learned counsel for the petitioner further



submits that the relationship in between the petitioner and the opposite party no.2 will grow with passage of time.

6. Considering the submission made by the learned counsel for the parties, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Mohania, Kaimur in connection with Complaint Case No.3477 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that the opposite party no.2 shall be at liberty to file an application seeking cancellation of anticipatory bail granted to the petitioner, in the event, if the petitioner oust her from her matrimonial home or does not keep her with proper love and care.

(Satyavrat Verma, J)

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