

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28535 of 2015

Arising Out of PS.Case No. -31 Year- 2015 Thana -PAHARPUR District-
EASTCHAMPARAN(MOTIHARI)

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Nawal Kishore Sah son of Ramchandra Sah resident of Village - Matiarwa,
P.S. Paharpur, District - East Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Jyoti Devi wife of Nawal Kishore Sah daughter of Rajendra Sah resident
of Village - Markatiya Dhankat P.S. - Paharpur, District - East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Shankar Shrivastava, Adv.
For the Opposite Party/s : Mr. P.N.Pandit(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 07-12-2015 Heard learned counsel for the petitioner, learned
Additional P.P. as well as learned counsel for the complainant.

The petitioner apprehends his arrest in Paharpur P.S.
Case No. 31/2015, registered for the offences punishable under
Sections 498(A), 323, 406, 328, 504 and 506 of the Indian Penal
Code and ¾ of D.P. Act.

The husband and wife are ready to live together and
learned counsel for the petitioner submits that he shall give
undertaking to keep his wife properly.

Considering the facts aforesaid and the fact that the
wife has also no objection if her husband keeps her properly, the
petitioner above named is directed to surrender in the court below

within four weeks from the date of receipt/production of a copy of this order and the court below shall enlarge the petitioner on provisional bail for four months, after informing the learned counsel for the complainant, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sadar Motihari, East Champaran in connection with Paharpur P.S. Case No. 31/2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and the court below shall make efforts for reconciliation between the husband and the wife. If the dispute between the husband and wife is resolved amicably, the provisional bail granted to the petitioner shall be confirmed and if the dispute is not resolved amicably, the court below shall pass order in accordance with law on the provisional bail of the petitioner.

(Prabhat Kumar Jha, J.)

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