

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48980 of 2014

Arising Out of PS.Case No. -1549 Year- 2013 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

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1. Jitendra Ram @ Jitendra Kumar S/o Ravindra Ram R/o Vill. - Garhara
(Kumhar Toli), P.S. - Barauni (Chakia), Dist. - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Asha Devi D/o - Balgovind Ram R/o - Barauni Flag, Panchayat No. - 2
Ward No. - 5, P.S. - Teghra, District - Begusarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey
For the Opposite Party/s Mr. Bisheshwar Pam (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 28.07.2015 Heard learned counsel for the petitioner, learned Addl.
Public Prosecutor for the State and learned counsel for opposite party
no.2.

Petitioner happens to be husband of opposite party no.2 and
earlier dispute of the parties had been referred to Mediation center,
Patna High Court but dispute of the parties could not be resolved as
the petitioner refused to live along with opposite party no.2 though
opposite party no.2 was ready to lead her conjugal life with the
petitioner as reported by learned Mediator.

The contention on behalf of the petitioner is that opposite
party no.2 is a lady of short tempered and she is very aggressive. It is
further contended by him that, as a matter of fact, opposite party no.2
lit fire on her body in the year 2009 and admitted the aforesaid fact
before police. It is further contended by him that petitioner apprehends

that if opposite party no.2 is taken to her matrimonial home, she might have committed again similar type of occurrence.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this petition stands rejected.

However, if petitioner surrenders in connection with Complaint case no. 1549C/2013 before the Sub divisional Judicial Magistrate, Begusarai within four weeks from today with a proposal to resolve the dispute, the concerned court shall take note of the aforesaid fact and shall issue notice to opposite party no.2 fixing a date for reconciliation and shall take all possible steps to resolve the dispute of the parties even by way of one time settlement within one month from the date of making of the aforesaid proposal and in that period, petitioner shall not be taken into custody but if re-conciliation fails then, in that circumstance, learned court below shall be at liberty to take the petitioner in custody and pass appropriate order on regular bail application of the petitioner.

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(Hemant Kumar Srivastava,J)

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