

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2440 of 2015

Arising Out of PS.Case No. -1270 Year- 2013 Thana -SARAN COMPLAINT CASE District-
SARAN

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Shailesh Kumar Mahto, son of Bunilal Mahto, resident of Village - Ishepur
Paiga, Police Station - Bheldi, District - Saran (Chapra).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Renu Devi, wife of Shri Shailesh Kumar Mahto, Daughter of Majilal
Mahto, resident of Village - Ishepur Paiga, Police Station - Bheldi, District -
Saran (Chapra). At present resident of village - Dhenuki, Police Station -
Marhowrah, District - Saran (Chapra).

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

2 20-01-2015 Heard both sides.

The petitioner is apprehending his arrest in a case
under Section 498(A) of the Indian Penal Code.

The complainant made allegation that the petitioner,
who is the husband of the complainant, demanded a motorcycle
and ornaments and, on account of non-fulfillment of the demand
of dowry, she was driven out of her matrimonial house.

The learned counsel for the petitioner submits that
the petitioner is ready to keep his wife, but the wife is not willing.

It appears that the learned Sessions Judge made
efforts for reconciliation but the husband and the wife made
allegations and counter-allegations against each other.

Having considered the facts aforesaid, the above named petitioner is directed to surrender in the court below within a period of 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 a period of two months on furnishing bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Chapra, District – Saran in Complaint Case No. 1270 of 2013, giving rise to Trial No. 2575 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The court below shall make efforts for resolution of disputes.

It is further directed that if the dispute is resolved between the parties, the provisional bail so granted to the petitioner shall be confirmed.

In case the dispute is not resolved, the learned court below shall consider the prayer for bail of the petitioner on its own merits.

(Prabhat Kumar Jha, J)

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