

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17209 of 2015

Arising Out of PS.Case No. -37 Year- 2014 Thana -RAIYAM District- DARBHANGA

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1. Bablu Sah Son of Rajendra Sah Resident of village - Manma Pithriya,
Police Station - Jalley and District - Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar
2. Geeta Devi Wife of Bablu Sah and daughter of Uma Sah resident of
village + Police Station - Raiyam and District - Darbhanga

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha
For the Opposite Party/s : Mr. Satyendra Narayan Singh(App)

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CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA
ORAL ORDER

2 30-07-2015 Heard.

Let the petitioner surrender and pray for regular bail before J.M. Ist Class, Darbhanga in connection with Raiyam P.S.Case No.37 of 2014. The learned Additional Sessions Judge has rejected the prayer for anticipatory bail of the petitioner considering that there was a threat to the life of the informant wife at the hands of the petitioner if she lives in his house. This record has been made by the learned Additional Sessions Judge on account of such statement coming from the wife during the hearing of Anticipatory Bail Petition no.108 of 2015.

The learned Magistrate shall not be influenced by the above observations and shall again take steps for reconciliation

between the parties by issuing notice to the informant through the Officer-in-Charge of Raiyam police station fixing a date for appearance of the present petitioner and the wife. So long as the conciliation proceedings are carried out by the learned Magistrate, the petitioner may be admitted to provisional bail. The learned Magistrate shall attempt to convince the spouses the need of burying the hatchet and the further need of uniting as a married couple and shall find out the reasons on account of which the marriage had run into rough weathers. He shall impress upon the parties to join the matrimonial relationship and in case, it is found that the petitioner was placing unreasonable conditions or was acting in a way which could not be acceptable to a reasonable person then he shall be remanded to the custody. In case, the wife was appearing acting unreasonably without placing substantial reasons for not joining the petitioner, then the bond of the petitioner shall be confirmed.

The petition stands disposed of with the above directions.

(Dharnidhar Jha, J)

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