

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20189 of 2015

Arising Out of Complaint Case No. -371 Year- 2012 Thana -KATIHAR
District- KATIHAR

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Md. Ilyas S/o Late Md. Gaisul Resident of Village Rahua, P.S. K. Nagar,
District Purnia.

.... Petitioner

Versus

1. The State of Bihar.
2. Bibi Tasirun Nisha D/o Md. Arjul Resident of Falka, P.S. Falka, District
Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.

For the Opposite Party/s : Mr. Arun Kumar Singh-5(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 06-07-2015 Heard both sides.

The petitioner apprehends his arrest in Complaint Case
No. 371/2012, registered for the offences punishable under
Section 498A and other Sections of the Indian Penal Code.

The petitioner is the husband.

It is submitted that the petitioner is ready to keep his
wife on all undertakings. The petitioner was married with the
complainant in the year 2003 but his wife is in the habit of leaving
the house of the petitioner.

Further, it is submitted that the petitioner also filed
petition for restitution of Conjugal Rights.

Considering the facts aforesaid, 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, after issuing notice to the wife of the petitioner, 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, Katihar in connection with Complaint Case No. 371/2012, 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 is resolved, the provisional bail granted to the petitioner shall be confirmed and if the dispute does not resolve 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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