

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25889 of 2014

Arising Out of PS.Case No. -30 Year- 2013 Thana -MAHILA P.S. District- SARAN

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1. Daglash Sah @ Daglash Kumar Son of Madhusudan Prasad R/O Mohalla
Nai Basti Chapra, P.S. Chapra Town, District - Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Dikshit

For the Opposite Party/s : Mr. Upendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

10 20-03-2015 Heard both sides.

Petitioner is husband. He apprehends his arrest in a case under section 304-B and other sections of the I.P.C. but the wife herself appears and she is still alive.

On perusal of record it appears that the matter was sent to Mediation Centre Patna High Court with a view to take all effective and possible steps to resolve the dispute between the husband and wife but the wife did not appear. Learned counsel for the petitioner submits that he is ready to keep his wife on any undertaking. On such learned counsel appearing on behalf of informant/ opposite party no. 2 submits that she is also ready to live with her husband, provided her husband gives an undertaking to keep her properly and safely.

Considering the above submissions, the 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, the court below shall enlarge the petitioner on provisional bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saran at Chapra in connection with Saran Mahila P.S. Case No. 30/2013, subject to the conditions laid down under section 438(2) Cr.P.C.

If the petitioner files an undertaking before the court below to keep his wife properly and safely, and thereafter the court below shall make effort to resolve the dispute between the husband and wife. If the dispute is resolved and the petitioner behaves with his wife properly then his provisional bail shall be confirmed. If the petitioner does not behave properly with his wife then the court below shall pass order on provisional bail on its own merit.

(Prabhat Kumar Jha, J)

Naresh/-

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