

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31036 of 2014

Arising Out of PS.Case No. -699 Year- 2013 Thana -MUNGER COMPLAINT CASE District-
MUNGER

1. Girish Chandra @ Girish Chand S/o Shri Roop Narayan Paswan R/o village- Agarsandh, Distt.- Mirzapur (U.P), Present address Girish Chand , J.E. Mechanical, Employees Code No.- 30782, Heavy Water Plant, Baroda (Gujarat) PIN- 391750, Residing at 2nd Floor, 10 Arpita Complex, Near F.C.I.Godown, Alembic Road, Vadodara (Gujarat)

.... Petitioner/s

Versus

1. The State of Bihar
2. Sandhya Kumari W/o Girish Chandra @ Girish Chand, D/o Nandlal Paswan R/o village- Koini, P.S.- Chainpur, Distt.- Kaimur (Bhabhua), Bihar Present address Sandhya Kumari, D/o Nandlal Paswan, Principle Central School, Jamalpur, Quarter No.- 1(A), P.S.- East Colony, Distt.- Munger(Bihar) PIN No.-811214.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shri Prakash Tiwari
For the Opposite Party/s : Mr. Nityanand(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 20-03-2015 Heard both sides.

The petitioner apprehends his arrest in a case under section 498 (A) and other sections of the Indian Penal Code.

The wife of the petitioner (complainant) made allegation that the petitioner developed illicit relation with a girl and thereafter the petitioner tortured and threatened her to put on fire and lastly ousted her from the house.

Learned counsel for the petitioner submits that petitioner filed divorce case prior to filing of the complaint case. Petitioner is

ready to keep his wife.

Learned counsel appearing for the complainant submits that complainant is also ready to live with her husband, provided her husband gives an undertaking that he would keep her properly and safely and he would not have any extra marital relation.

Considering the facts, 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 and thereafter 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, Munger, in connection with Complaint Case No. 699 (C) of 2013. If the petitioner files undertaking to keep his wife properly and safely then the court below shall make effort to resolve the dispute between husband and wife. If the dispute is resolved, the provisional bail granted to the petitioner shall be confirmed. If the dispute is not resolved between husband and wife then the court below shall pass order on provisional bail on its own merit.

(Prabhat Kumar Jha, J)

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