

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38519 of 2014

Arising Out of PS.Case No. -1245 Year- 2013 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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Arun Paswan S/o Jatan Paswan resident of Kairi Miyar, P.S. - Noorsarai,
District - Nalanda.

.... Petitioner

Versus

1. The State of Bihar.
2. Shiwani Devi Wife of Arun Paswan, presently Daughter of Bhushan
Paswan Resident of Village- Gilamichak, P.S. – Sare, District- Nalanda.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Rana Baljit Singh, Advocate.
For the Opposite Parties : Mr. Dilip Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 23-11-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 498A and 34 of the
Indian Penal Code.

Notice was issued to the opposite party no. 2, the wife
vide order dated 20.03.2015, but the opposite party no. 2 did not
appear till date.

It is submitted that the petitioner is ready to keep his
wife with all honour and dignity. It is further submitted that the
wife has already solemnized second marriage.

Considering the facts aforesaid and the fact that the
petitioner is ready to keep his wife with all honour and dignity, 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 for four months after issuing notice to the informant, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Smt. Sulekha Jha, the Learned Judicial Magistrate, 1st Class, Nalanda at Bihar Sharif in Complaint Case No. 1245(C) of 2013, 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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