

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21963 of 2015

Arising Out of PS.Case No. -157 Year- 2014 Thana -RAFIGANJ District- AURANGABAD

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Jitendra Sharma, Son of Late Pradeep Narayan Sharma Resident of village -
Charkuppa, Police Station - Rafiganj, District - Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Kamendra Pd. Singh, Advocate.

For the Opposite Party : Mr. Khurshid Anwar(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 06-11-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A, 379, 323 and 34 of the Indian Penal Code.

The informant alleged that she was married with the petitioner 25 years ago, but after sometime her husband deserted her and solemnized second marriage and her husband is living in Delhi with his second wife.

Learned counsel for the petitioner submits that the petitioner is ready to keep his wife or maintain her, but from perusal of the order of the learned Sessions Judge, it appears that the petitioner was not ready to keep his wife.

Considering the facts aforesaid, the petitioner 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 the learned Chief Judicial Magistrate, Aurangabad in Rafiganj P.S. Case No. 157 of 2014, 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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