

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43751 of 2014

Arising Out of PS.Case No. -387 Year- 2013 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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Samshad Alam @ Md. Shamshad Alam Son of Md. Soaib Ahamad
Resident of Village Ekhattha Id Tole Ward No.2, P.S.- Khutauna, District-
Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sahin Fatma D/O Baddi Uzzama Resident of Village Ekhattha, Ward
No.4 North Tole, P.S.- Khutauna, District- Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Indra Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 29-07-2015 Heard learned counsel for the petitioner, learned

A.P.P. for the State and learned counsel appearing for the

complainant.

The petitioner apprehends his arrest in a case
registered under Section 498(A) and other sections of the Indian
Penal Code and Sections 3 / 4 of the D.P. Act.

The petitioner is the husband and he is ready to keep
his wife or resolve the dispute amicably. On the other hand,
learned counsel for the complainant submits that the complainant
is also ready to live with her husband provided her husband has
not solemnized second marriage. The complainant is also ready
for amicable settlement of the dispute.

Considering the willingness of the petitioner to keep his wife, the above named petitioner is directed to surrender in the court below within four weeks from today and the court below shall, after issuing notice to the complainant, grant provisional bail to the petitioner for four months on furnishing bail bond in the sum of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Jhanjharpur in Madhubani in Complaint Case No. 387 of 2013, corresponding to T. R. No. 231 of 2014.

The court below shall make all efforts for reconciliation of the dispute between the husband and the wife. If the dispute is resolved amicably between the parties, the provisional bail granted to the petitioner shall be confirmed. In case the dispute is not resolved, the court below shall pass orders on the prayer for provisional bail of the petitioner on its own merit in accordance with law.

(Prabhat Kumar Jha, J)

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