

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27212 of 2014

Arising Out of PS.Case No. -2570 Year- 2012 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. Raju Ram S/o Bhukhal Ram R/o Village Shankar Saraiya Tola Munshi Inar, P.S. Turkaulia, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash

For the Opposite Party/s : Mr. Amrendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

5 20-03-2015 Heard both sides.

Petitioner apprehends his arrest in a case under section 498 (A) of the I.P.C.

The wife has made allegation that her husband has subjected her to physical and mental torture. Compromise was arrived at between the husband and wife. The husband took the complainant and left her at her Maike and went to Bombay.

Learned counsel for the petitioner submits that he is a daily wages labour and he is not in a position to keep his wife at Bombay. It is further submitted that petitioner is ready to keep his wife. The wife is also ready to live with her husband.

Considering the above submissions, the petitioner is

directed to surrender in the court below within a period of four weeks from the date of production/receipt of a copy of this order and 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 Sri R.K. Bharti, Judicial Magistrate, Ist. Class, Motihari in connection with Complaint Case No. 2570-C/2012, subject to the condition laid down under section 438(2) Cr.P.C.

If the petitioner files undertaking to keep his wife properly and safely, then the court below shall make effort to resolve the dispute between the husband and wife. If the dispute is resolved then the court below shall confirm the provisional bail granted to the petitioner. If dispute is not resolved between them, then the court below shall pass order on provisional bail on its own merit.

(Prabhat Kumar Jha, J)

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