

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.31399 of 2014**

Arising Out of PS.Case No. -16 Year- 2013 Thana -MAHILA P.S. District- MUNGER

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Dinesh Kumar, Son of Rajendra Prasad Sah, Resident of village -  
Purabasarai, Near Durga Asthan, P.S. Kotwali, District - Munger

.... .... Petitioner

Versus

1. The State of Bihar  
2. Rakhi Kumari, D/o- Om Prakash Sah, R/o- Shyampur (near Durga  
Asthan) P.S. Basudeopur, P.O.- Kotwali, District- Munger.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr.

For the Opposite Parties : Mr.

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**CORAM: HONOURABLE MR. JUSTICE V.N. SINHA**  
**ORAL ORDER**

4. 20.03.2015. Heard learned counsel for the petitioner and the  
State.

2. Petitioner-husband is apprehending his arrest in  
connection with a case registered for the offence under Section  
498A and other allied Sections of the Penal Code. It is  
submitted on his behalf that notwithstanding the First  
Information Report he is ready and willing to take his wife  
back in the matrimonial fold provided she agrees to return  
back home every evening within reasonable time and to that  
effect he shall file a written undertaking on affidavit in the  
court below within a period of four weeks from the date of  
receipt/production of a copy of this order in the court below.  
No sooner the petitioner surrenders in the court below within a  
period of four weeks from the date of receipt/production of a  
copy of this order in the court below and files such affidavit,

he, named above, be admitted to the privilege of provisional bail on furnishing bond of Rs. 5,000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Sri S.K. Singh, Judicial Magistrate, 1<sup>st</sup> Class, Munger in connection with Mahila P.S. Case No. 16/2013 and thereafter the informant should be noticed and after she appears in the court below, in presence of the court, petitioner shall make all possible efforts for resolution of the matrimonial dispute between him and the informant not only by words of mouth but also by his suitable conduct and gesture. In the event court below is satisfied that dispute is resolved and matrimonial peace prevails in the family or the informant is back to her matrimonial home or she is found to be unreasonable, provisional bail granted to the petitioner shall be confirmed, failing which court below shall be at liberty to pass appropriate orders in accordance with law considering the reasonableness of the stand of the parties.

3. This application is, accordingly, disposed of.

4. Let this order be communicated to the court below through fax on payment of usual charges by the petitioner.

**(V.N.Sinha,J.)**

**P.K.P.**

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