

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40796 of 2014

Arising Out of PS.Case No. -238 Year- 2014 Thana -BANKA District- BANKA

1. Sanjeev Kumar Sudhanshu son of Bishnudeo Rai, All residents of
Khalifabagh, P.S.- Adampur (Kotwali), District- Bhagalpur
..... Petitioner/s

Versus

1. The State of Bihar
..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhukar Mishra

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 01-04-2015 Heard both sides.

The petitioner apprehends his arrest in a case under section
498A and other sections of the Indian Penal Code.

The petitioner is the husband and the wife has made
allegation that the petitioner subjected her to physical and metal
torture and brutally assaulted her.

It is submitted that the marriage was solemnized about
eight years ago and the informant has got two children. On
account of some family feud, the case has been lodged.

On the other hand, learned counsel for the informant has
submitted that she is still ready to live with her husband, provided
he keeps her properly. The husband is also ready to keep his wife.

Considering the aforesaid facts, 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, after notice to the informant, enlarge the petitioner on provisional bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Banka, in Banka(Barahat)P.S. Case No. 238/14 , subject to the conditions as laid down under section 438(2) Cr.P.C.

The court below shall make effort for resolution of the dispute between the husband and wife. If the dispute is resolved after taking undertaking from the petitioner that he shall keep his wife property, the provisional bail granted shall be confirmed. If the dispute is not resolved, the court below shall pass order on merit on the provisional bail.

(Prabhat Kumar Jha, J)

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