

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49259 of 2014

Arising Out of PS.Case No. -2164 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Dr. Dharmendra Kumar Singh S/o Late Yamuna Singh Resident of
Village - Tarwan Khem, Police Station - Phulwaria, District - Gopalganj, at
present residing in the House of Jagdish Master of Mirganj, Police Station -
Mirganj, District Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Kushum Devi Daughter of Ramrup Bhagat W/o Dr. Dharmendra Kumar
Singh Resident of Rupanchak,

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Upadhyay

For the Opposite Party/s : Mr. Anuj Kumar Srivastava (App)

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 07-04-2015

Heard both sides.

The petitioner apprehends his arrest in
Complaint Case No. 2164C/14, registered under sections 498A,
406 of the Indian Penal Code.

The wife made allegation that the petitioner
developed illicit relation and thereafter subjected her to all sorts of
torture. The complainant has got five children.

Learned counsel for the petitioner submits that
the petitioner also filed Matrimonial Case No. 137of 2014 for
dissolution of marriage and thereafter the wife filed this case.
Petitioner is still ready to keep his wife.

Learned counsel for the complainant submits that if her husband ready to keep her along with her children she is ready to live with him.

Considering the aforesaid facts, the petitioner is directed to surrender before the court below within a period of four weeks from today and the court below shall after issuing noticed to the complainant enlarge the petitioner on provisional bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of S.D.J.M, Gopalghanj in Complaint Case No. 2164C/14 subject to the conditions as laid down under section 438(2) Cr.P.C. Thereafter the court below shall make all efforts for resolving the dispute between the husband and wife. If the dispute is resolved between the husband and wife, the provisional bail granted to the petitioner shall be confirmed. If the husband and wife are not able to resolve their dispute, the court below shall pass order on merit on the provisional bail of the petitioner.

(Prabhat Kumar Jha, J)

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