

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25666 of 2015

Arising Out of PS.Case No. -435 Year- 2013 Thana -SIKARPUR District- WEST CHAMPARAN
(BETTIAH)

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Manish Kumar, son of Shri Jitendra Prasad Sah, resident of Village-
Patkhauri Malkauri, P.S.- Patkhauri, District- West Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Aditya Nath Jha, Advocate.

For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-07-2015

Heard both sides.

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

It is submitted that the petitioner is the husband and he is always ready to keep his wife. This case is filed only when the petitioner filed divorce case against the informant when the informant did not agree to live with the petitioner in the restitution case filed by the petitioner. It is submitted that the informant alleged that the date of occurrence is 18.01.2013, but after 10 months, the present F.I.R. was filed. It is submitted that the petitioner is ready to keep his wife. On such, learned counsel for the informant submits that he is also ready to live with her husband provided gives an undertaking to keep her properly.

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 informant, grant provisional bail to the petitioner 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 S.D.J.M., Bettiah, West Champaran in Shikarpur P.S. Case No. 435/13.

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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