

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5988 of 2015

Arising Out of PS.Case No. -4012 Year- 2013 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Rajesh Rajak S/O Tilak Rajak Resident of vill-Varun Rasalpur, P.S-Sarai
Ranjan, Distt- Samastipur

.... Petitioner

Versus

1. The State of Bihar
2. Rinku Devi W/O Rajesh Rajak Resident of vill-Varun Rasalpur,P.S-Sarai
Ranjan,Distt-Samastipur, At present, D/O-Rajendra Rajak; R/O Vill-
Manisor, P.S-Jandaha, Distt- Vaishali at Hajipur.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Bijay Bhushan Prasad, Advocate.
For the Opposite Parties : Mr. Rana Randhir Singh(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

6 03-07-2015 Heard both sides.

The petitioner apprehends his arrest in Complaint Case
No. 4012 of 2013, registered for the offences punishable under
Section 498(A) of the Indian Penal Code.

Learned counsel for the petitioner submits that the wife,
opposite party no. 2 is residing with one Sunny Kumar and she
also gave birth to a child. The petitioner filed Divorce Case No.
294 of 2013. Notice was issued and the opposite party no. 2 filed
this complaint case.

The complainant opposite party no. 2 on the other hand
disclosed that she is willing to live with her husband and she gave
birth of two children, but her husband does not want to keep her.

Considering the facts aforesaid, the petitioner above named 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 enlarge the petitioner on provisional bail, after issuing notice to the informant, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in Complaint Case No. 4012 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and the court below shall make efforts for reconciliation between the husband and the wife. If the dispute is resolved, the provisional bail granted to the petitioner shall be confirmed and if the dispute does not resolve the court below shall pass order in accordance with law on the provisional bail of the petitioner.

(Prabhat Kumar Jha, J.)

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