

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30518 of 2015

Arising Out of PS.Case No. -1266 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Mahesh Rai Son of Durga Rai Resident of Village - Arniya, P.S. -
Jandaha, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibha Devi W/o Mahesh Rai, D/o Moti Lal Rai Resident of Village -
Arnia, P.S. - Jandaha, Distt. - Vaishali

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 12-10-2015 Heard Learned counsel for the husband/petitioner and

learned counsel for the wife.

The petitioner apprehends his arrest in Complaint Case
No. 1266/2014, registered for the offences punishable under
Section 498A and other sections of the Indian Penal Code.

The wife made allegation that the petitioner subjected
her to physical and mental torture due to non-fulfillment of
demand of dowry.

It is submitted that the petitioner has already filed a
divorce case bearing no. 34/2014. Thereafter, this complaint case
was filed. The wife is ready to live with her husband.

Considering the facts that the husband is ready to resolve the dispute, the petitioner, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, the court below shall enlarge the petitioner on provisional bail for four months after issuing notice to the complainant, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. 1266/2014 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 is 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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