

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16882 of 2015

Arising Out of PS.Case No. -2051 Year- 2013 Thana -EAST
CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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Abul Kalam @ Rehan S/o Babujan Mian R/o Mamarkha Naiya Tola, P.S.
Malahi District - East Champaran

.... Petitioner

Versus

1. The State of Bihar
2. Shalya Khatoon D/o Mohammad Mobin, W/o Abul Kalam @ Rehan r/o
vill. - Damodarpur Matiya, P.S. Malahi, Distt. E. Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2, Adv.

For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-05-2015

Heard learned counsel for the petitioner-husband,
learned counsel for the wife-complainant and learned Additional
P.P.

The petitioner apprehends his arrest in Complaint
Case no. 2051 of 2013, registered for the offences punishable
under Sections 498A of the Indian Penal Code.

The petitioner is the husband and he is ready to keep
his wife on any undertaking.

On the other hand, learned counsel for the complainant
submits that the petitioner who wants to keep his wife did not
appear in the court.

Considering the facts aforesaid that the husband is ready to keep his wife and the wife is also ready to live with him, 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 enlarge the petitioner on provisional bail after giving undertaking to keep his wife properly and 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, Sadar at Motihari, East Champaran in connection with Complaint Case no. 2051 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and the court shall make efforts for reconciliation between the husband and 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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