

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35026 of 2014

Arising Out of PS.Case No. -838 Year- 2013 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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Bhola Prasad, son of Sukhdeo Chauhan, resident of village- Lalbagh, P.S.-
Deepnagar, District- Nalanda

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA

ORAL ORDER

2 20-02-2015

Heard learned counsel for the petitioner and the State.

2. Petitioner-husband is apprehending his arrest in connection with a case registered for the offences under Section 498A and other allied Sections of the Penal Code and Sections 3 and 4 of the Dowry Prohibition Act. It is submitted on his behalf that notwithstanding the Complaint Petition he is ready and willing to continue the matrimonial relationship with the complainant and to that effect he shall file a written undertaking on affidavit in the court below within a period of four weeks from the date of receipt/production of a copy of this order in the court below. No sooner the petitioner surrenders in the court below within a period of four weeks from the date of receipt/production of a copy of this order in the court below and files such affidavit,

petitioner, named above, be admitted to the privilege of provisional bail on furnishing bail bond of Rs. 5000/- (Five thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Hilsa, Nalanda, in connection with Complaint Case No. 838C/2013 and thereafter the complainant should be noticed and after she appears in the court below, in presence of the court, petitioner shall make all possible efforts for resolution of the matrimonial dispute between him and the complainant not only by words of mouth but also by his suitable conduct and gesture. In the event court below is satisfied that dispute is resolved and matrimonial peace prevails in the family or the complainant is back to her matrimonial home or she is found to be unreasonable, provisional bail granted to the petitioner shall be confirmed, failing which court below shall be at liberty to pass appropriate orders in accordance with law considering the reasonableness of the stand of the parties.

3. This application is, accordingly, disposed of.

4. Let this order be communicated to the court below through fax on payment of usual charges by the petitioner.

(V.N. Sinha, J)

Rajesh/-

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