

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14283 of 2015

Arising Out of PS.Case No. -1310 Year- 2014 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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Rajesh Kumar Gupta, S/o Jagdish Prasad Gupta, R/o Village - Bartwalia,
P.S. Pachrukhi, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar
2. Reena Prasad D/o Prabhunath Prasad R/o Purani Quilla Bania Toli, P.S.
Siwan Town, District - Siwan

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ajay Kumar Pandey
For the Opposite Party/s : Mr. Amitesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 08-05-2015 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the complainant.

The petitioner apprehends his arrest in a case registered under Section 498(A) and other sections of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The petitioner is husband and he is ready to keep his wife. Learned counsel for the complainant submitted that the complainant was subjected to all sorts of physical and mental torture. Unless her husband keeps her properly, it has become very difficult for the complainant to live with her husband.

From perusal of the complaint petition, it appears that the complainant was driven out from the house of her husband on 29.09.2012. The complainant gave birth to a female child on

16.05.2013 and, on that occasion also, she is alleged to have been abused by her husband but, even thereafter, the complaint petition was filed on 26.05.2014.

Be that as it may, 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 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., Siwan in Complaint Case No. 1310 of 2014.

The court below shall also issue notice to the complainant and 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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