

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21196 of 2015

Arising Out of PS.Case No. -47 Year- 2015 Thana -RUNISAIDPUR District- SITAMARHI

Santosh Mishra S/O Ram Naresh Mishra Resident of Village Koahi, P.S. Runnisaidpur, District Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar.
2. Rinku Devi W/o Santosh Mishra Resident of Village Kowahi, P.S. Runnisaidpur, District Sitamarhi, P.S. Old Malada, District Malada, State West Bengal.

.... Opposite Parties

Appearance :

For the Petitioner : Mr. Alok Kumar Jha, Advocate.
For the Opposite Parties : Mr. Hirday Pd.Singh(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-07-2015 Heard both sides.

The petitioner apprehends his arrest in Runnisaidpur P.S. Case No. 47 of 2015, registered for the offences punishable under Sections 498A and other Sections of the Indian Penal Code.

The petitioner is ready to keep his wife. The learned counsel for the complainant submits that the wife is also ready to live with her husband. From the order of the learned Sessions Judge, it would appear that the husband was reluctant to keep his wife and his conduct was also not proper.

It appears that both the parties are willing to live together provided that the husband gives undertaking to keep his wife properly.

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 Chief Judicial Magistrate, Sitamarhi in connection with Runnisaidpur P.S. Case No. 47 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., if the husband undertakes to keep his wife properly 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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