

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 22482 of 2015

Arising out of P. S. Case No. - 678 Year - 2013 Thana - BHAGALPUR COMPLAINT CASE
District - BHAGALPUR

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1. Md. Sharif @ Md. Sharif Alam, son of Md. Abdul Jabbar, Resident of
village - Dhurubganj, Police Station - Kharik, District - Bhagalpur

.... Petitioner

Versus

1. The State of Bihar

2. Bibi Rozina, daughter of Md. Moinuddin, wife of Md. Sharif, Resident
of village - Baniya, Police Station - Gopalpur, District - Bhagalpur

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Md. Najmul Hodda, Advocate

For the Opposite Parties : Mr. B. Ram, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE V.N. SINHA
ORAL ORDER

2 11-06-2015

Heard learned counsel for the petitioner and the
State.

2. Petitioner-husband is apprehending his arrest in connection with a case registered for the offence under Sections 498A and 406 of the Penal Code. 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, he, named above, be admitted to the privilege of provisional bail on furnishing bond of Rs. 5,000/-

(Five thousand) with two sureties of the like amount each to the satisfaction of Sri R.V.S. Prasad, Judicial Magistrate-1st Class, Naugachia in connection with Complaint Case No. 678 of 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.)

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