

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25703 of 2015

Arising Out of PS.Case No. -238 Year- 2014 Thana -KAJI
MUHAMMADPUR District- MUZAFFARPUR

Vikash Kumar Son of Surya Prasad Shahi Resident of Village Gorigama Dih, P.S Saraiya, District Muzaffarpur, at present resident of Mohalla Srinagar Colony, Gobarsahi, House No. 1/3, P.S Sadar, District Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar
2. Kanchan Kumari Wife of Vikash Kumar Daughter of Ramji Prasad Sharma, Resident of Mohalla RAsulpur Zilani Majhauilya, P.S. Kazi Mohammadpur, District Muzaffarpur.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Adv.

For the Opposite Party/s : Mr. M.Haque (App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-07-2015 Heard both sides.

The petitioner apprehends his arrest in Kazi Mohammadpur P.S. Case No. 238/2014, registered for the offences punishable under Sections 498A and other Sections of the Indian Penal Code.

It is submitted that the petitioner was married on 18.02.2013 but the petitioner came to know that the informant is mentally ill and that is why he filed a divorce case on 12.11.2013 under Section 12 of the Hindu Marriage Act for the dissolution of marriage.

It is further submitted that the petitioner is still ready to keep his wife if the wife is ready to co-operate with the petitioner.

Learned counsel for the informant submits that the wife is ready to live with the petitioner.

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 learned Additional Chief Judicial Magistrate, Muzaffarpur in connection with Kazi Mohammadpur P.S. Case No. 238/2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. 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 is not resolved 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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