

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32408 of 2015

Arising Out of PS.Case No. -371 Year- 2013 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

Sumit Kumar S/o Sri Nath Singh Resident of Quarter No. AB-288, Railway
Colony Mal Godown, Lidar Road, Allahabad (U.P.).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Reshma Devi W/o Sumit Kumar, D/o Sitieshwer Singh R/o New Area,
Ward No. 17, Dehri, P.S. Dehri, District Rohtas.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy

For the Opposite Party/s : Mr. Hirday Prasad Singh (App)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 09-12-2015 Heard learned counsel for the petitioner and learned
counsel for the Opposite Party No. 2.

The petitioner apprehends his arrest in connection with
Complaint Case No. 371 of 2013 registered for the offences
punishable under Section 498(A) and 323 of the Indian Penal
Code.

The petitioner and the opposite party no. 2 along with
her child are present in Chambers today.

After much deliberations and interactions, the parties
have come to conclusion that they will live together. The
petitioner is willing and ready to take his wife at her matrimonial
home along with her baby girl child.

Petitioner states that he will visit the parental place of



opposite party No. 2, from where, he will collect the opposite party No. 2 and her belongings and proceed to Allahabad where he resides alongwith his father, who is handicapped railway personel. He shall thereafter make endeavour to restore the matrimonial harmony. He also undertakes that there shall be no recurrence of untoward act so as to prejudice the opposite party no. 2 and her daughter in any manner.

The opposite party no. 2 is also willing to cooperate with him and to overcome the hardships which the petitioner is facing today, on account of illness of his father.

Considering the positive attitude adopted by both the parties, let the petitioner above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Rohtas, Sasaram in connection with Complaint Case No. 371 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, it is made clear that if, at all, there shall be any recurrence of untoward incident, leading to mental or physical torture to the opposite party no. 2 and her daughter, it shall be

open for her to move this Court for modification of the order or approach the Court below for any action in accordance with law including cancellation of the bail.

Jagdish/-

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(Anjana Mishra, J)