

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23130 of 2015

Arising Out of PS.Case No. -58 Year- 2014 Thana -MAHILA P.S. District- MADHUBANI

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Dewan Choudhary Son of Shri Ashok Choudhary resident of Village
Madhepur, P.S Kaluahi, Distt. Madhubani.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Uday Kant Choudhary, Advocate.

For the Opposite Party : Mr. Ashraf Ansari(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 14-12-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 498(A) and other
Sections of the Indian Penal Code.

The petitioner is husband and learned counsel for the
petitioner submits that the petitioner is ready to keep his wife on
any undertaking. The wife deserted her house when the petitioner
got stroke of epilepsy. The wife of the petitioner insisted that the
lands falling in the share of her husband be transferred in her
name.

On the other hand, learned counsel for the informant
submits that the informant is ready to live with her husband
provided that her husband gives undertaking to keep her properly

with all care and due dignity.

Considering the facts aforesaid and the fact that the husband and wife are ready to restore their conjugal relation, 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 for six months, 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 Sub-Divisional Judicial Magistrate, Madhubani in Mahila P.S. Case No. 58 of 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 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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