

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20163 of 2015

Arising Out of PS.Case No. -249 Year- 2014 Thana -PARIHAR District-
SITAMARHI

Md. Murtuza @ Murtuza Son of Nawijan resident of village - Sutihara,
Police Station - Parihar, District - Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar, Adv.

For the Opposite Party/s : Mr. Md.A.Haque Sahara(App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 06-07-2015

Heard both sides.

The petitioner apprehends his arrest in Parihar P.S.
Case No. 249 of 2014, registered for the offences punishable
under Section 498A and other Sections of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is ready to keep his wife. The marriage was solemnized
17 years ago. The wife does not want to live with the petitioner.

Learned counsel for the wife submits that she is ready
to live with her husband.

If the petitioner is willing to keep his wife, 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 complainant, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Shri Prashant Kumar Jha, Judicial Magistrate 1st Class, Sitamarhi in connection with Parihar P.S. Case No. 249 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 petitioner is not willing to keep his wife 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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