

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36167 of 2014

Arising Out of ase No. -814 Year- 2013 Thana -SARAN COMPLAINT CASE District- SARAN

1. Manoj Kumar Yadav @ Manoj Kumar Rai S/o -Jagarnath Rai Resident
of village - Chitamanpur Police Station Darounda District - Siwan .

.... Petitioner/s

Versus

1. The State of Bihar.

2. Manju Devi w/o - Manoj Kumar Rai D/o Bir Bahadur Yadav
Resident of village - Nawalpur

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha,App.

CORAM: HONOURABLE SHRI JUSTICE DHARNIDHAR JHA

ORAL ORDER

2 20-02-2015

Heard.

Let the petitioner surrender and pray for regular bail
before the Sub-Divisional Judicial Magstrate, Saran at Chapra in
connection with Complaint Case No. 814 of 2013, Tr. No. 2677 of
2013.

Without being cognizant of the allegations and
considering only the offer of the petitioner that he was ready to
take the lady back to his family fold and to accord her due dignity
and respect, this Court directs that as soon as the above named

petitioner surrenders before the court below he shall be admitted to bail on accepting the bond provisionally for certain date.

The court below shall issue notice for appearance of the lady on that particular date directing issuance of notice both by court process as also through the Police Station concerned in which the lady resides. Full details of address of the residence of the lady shall be furnished before the court below by the petitioner. After the lady appears in the court below and the petitioner also appears, the court shall talk to the spouses jointly and separately as per its convenience and shall try to identify the knots in the relationship and shall further attempt to untie the knots. May be that the court does not succeed in the reconciliatory efforts made by it and as such it shall adjourn the case to as many dates as it may feel necessary for the purpose. If the court finds that the had taken a very difficult position and had put some unreasonable conditions then the bail of the petitioner shall be confirmed. Similarly, if the petitioner is found taking a difficult position and placing un-reasonable conditions then the court shall cancel the bond and remand the petitioner to custody.

It is made clear that the court below shall ensure that the petitioner gives an undertaking to it that he has no relationship with any other lady and that he shall not give any reason to the

lady for complaining against his behaviour. Any incident regarding the breach of condition shall be enough for the court below to cancel the bond of the petitioner and to remand him to custody.

With the above direction/observation, this petition stands disposed of.

(Dharnidhar Jha, J)

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