

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22214 of 2015

Arising Out of PS.Case No. -1993 Year- 2014 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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Pramod Kumar Srivastava @ Putul Kumar Srivastava, son of Rajendra Prasad, Resident of Village Chowki Hasan, P.S. G.B. Nagar, Tarwara District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Sweta Kumari, wife of Pramod Kumar Srivastava @ Putul Kumar Srivastava, Resident of village Chowki Hasan, P.S. G.B. Nagar, Tarwara District - Siwan. At present Daughter of Ashok Kumar Srivastava, R/o Vill - Kasdevara Bangara, P.S. Maharaganj, Dist. - Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishore Mishra

For the Opposite Party/s : Mr. P.K. Chourasiya (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 08-10-2015

Heard both sides.

The petitioner apprehends his arrest in a case registered under Section 498(A) of the Indian Penal Code.

The complainant wife made allegation that she did not know about the first marriage of the petitioner with another girl and thereafter it is also alleged that the petitioner subjected her to physical and mental torture. It is submitted that the first wife of the petitioner died and thereafter the petitioner solemnized the second marriage with the complainant. The petitioner is ready to keep his wife. The wife has also stated in the complaint petition itself that she is ready to live with her husband provided her husband undertakes to keep her properly.

Considering the facts aforesaid, the above named petitioner is directed to surrender in the court below within four weeks from today and the court below shall, after issuing notice to the complainant, grant provisional bail to the petitioner for six months on furnishing bail bond in the sum of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Siwan in Complaint Case No. 1993 of 2014.

The court below shall make all efforts for reconciliation of the dispute between the husband and the wife. If the dispute is resolved amicably between the parties, the provisional bail granted to the petitioner shall be confirmed. In case the dispute is not resolved, the court below shall pass orders on the prayer for provisional bail of the petitioner on its own merit in accordance with law.

(Prabhat Kumar Jha, J)

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