

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38190 of 2013

Arising Out of PS.Case No. -630 Year- 2011 Thana -GAYA COMPLAINT CASE District- GAYA

Ramjeevan Yadav @ Ramjeevan Kumar, Son of Kameshwar Yadav,
Resident of Village - Maharaj Bigha, Police Station - Khizar Sarai and
District - Gaya

.... Petitioner/s

Versus

1. The State of Bihar
2. Ranjeeta Devi, Daughter of Ratan Yadav, Resident of Village - Panchu
Bigha, P.S. - Chandauti and District Gaya

.... Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Manish Kumar No.-2, Advocate.

For the Opposite Party/s : Mr. S.D. Singh Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 26-09-2016

Heard both sides.

The petitioner apprehends his arrest in Gaya
Complaint Case No. 630 of 2011 registered for the offence
allegedly committed under Sections 323, 498(A) of the Indian
Penal Code.

The complainant alleged that she was married to the
petitioner in the year 2004 but she remained in her Sasural for two
days only and thereafter the petitioner neglected her and did not
keep her due to non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that the
marriage was solemnized in the year 2004. The date of birth of the
petitioner is 26.12.1992. The petitioner attained majority in the
year 2011. The petitioner filed divorce case in the year 2015.

Learned counsel submits that the petitioner be granted provisional bail so that the petitioner may take all efforts for resolution of the dispute before the learned court below.

Learned counsel for the complainant submits that the complainant is ready to live with her husband

Considering the facts that the husband and the wife are ready to resolve their dispute amicably, the above named petitioner is directed to surrender in the court below within four weeks from today and the court below shall enlarge the petitioner on provisional bail for four months after issuing notice to the complainant, on furnishing bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in Complaint Case No. 630 of 2013 (Tr. No. 1115 of 2013).

The court below shall, after issuing notice to the complainant, 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 so granted to the petitioner shall be confirmed. In case the dispute is not resolved within four months, the court below shall pass orders on the prayer for provisional bail of the petitioner on its own merit in accordance with law.

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(Prabhat Kumar Jha, J)