

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22952 of 2017

Arising out of PS. Case No.-370 Year-2014 Thana- SHEKHPURA
COMPLAINT CASE District- Sheikhpura

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Sanoj Mistry, son of Nepali Mistry, R/o Village- Ballepur, P.S.- Halsi,
District- Lakhisarai. Petitioner/s

Versus

1. The State of Bihar.
 2. Gita Devi, D/o Shshil Mistry, R/o Village- Dhamesna (Kapasi), P.S.-
Karandey, Dist- Sheikhpura. Opposite Party/s
- =====

Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Adv.
For the Opposite Party/s : Mr. Pankaj Kumar, Adv.
For the State : Smt. Asha Kumari, APP.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

4 19-09-2017

As prayed, learned counsel for the petitioner is permitted
to make necessary correction in paragraph no. 1 of the bail
application.

Heard learned counsel for the petitioner, complainant and
the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Section 498A of the Indian Penal
Code.

It is contended on behalf of the petitioner that the
petitioner is ready to lead a harmonious conjugal life with the wife,
i.e., the opposite party no. 2.

Learned counsel for the opposite party no. 2 also appears
and submits that she is also ready to go and live with him if she is
treated properly and extended full dignity and honour.



Accordingly, the husband and wife both are directed to appear in the Court below on 31st October, 2017 and file affidavit in this regard.

If they are ready to go together to lead a harmonious conjugal life, the petitioner, above named be released on bail in the event of his arrest/surrender before the court below within a period of six weeks from today in connection with Complaint Case No. 370C/2014, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of concerned Judicial Magistrate, 1st Class, Sheikhpura or his successor subject to the conditions as laid down under sub-section (2) of Section 438 of the Code of Criminal Procedure.

However, in case the wife does not show her willingness or does not appear on the date fixed then in that case also the petitioner should be released.

This application stands disposed of with the aforesaid directions and observations in presence of learned counsel for the petitioner, the State and the opposite party no. 2.

(Dr. Ravi Ranjan, J)

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