

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54314 of 2016

Arising Out of PS.Case No. -228 Year- 2016 Thana -SIMRI BAKHTIARPUR District- SAHARSA

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Sanjay Razak s/o Chhote Lal Yadav @ Chote Lal Razak @ Choti Razak
r/v- Samastipur P.s. – Bakhtiyarpur, District - Saharsa

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 08-03-2017 Heard learned counsel for the petitioner learned
counsel for the informant and learned A.P.P.

The petitioner apprehends his arrest in Bakhtiyarpur
P.S. Case No. 228/2016, 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 the husband of the informant and he is ready to keep
his wife. Petitioner has filed a petition for restitution of conjugal
rights.

Learned counsel for the informant/wife submits that
wife is ready to live with her husband provided that husband
undertakes to keep his wife/informant properly.

Considering the facts aforesaid and the fact that the
husband and the wife are willing to live together, the petitioner



above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on provisional bail for four months on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate Ist Class, Bakhtiarpur Saharsa in connection with Bakhtiyarpur P.S. Case No. 228/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

Thereafter, learned court below shall make efforts for resolving the dispute between the husband and the wife, if the husband (petitioner) keeps his wife properly, learned court below shall confirm the provisional bail granted to the petitioner.

If the petitioner does not keep his wife properly, learned court below shall pass order in accordance with the law, immediately after lapse of four months of provisional bail.

(Prabhat Kumar Jha, J.)

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