

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8125 of 2017

Arising Out of PS.Case No. -1462 Year- 2015 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Md. Wakar Hussain, S/o Md. Abbas Hussain, R/o Village- Dariyapur,
P.S. Belsand, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mossrat Praween, W/o Md. Wakar Hussain, at present D/o Md. Ahmed
Hussain, R/o Village- Pathanpura, P.S.- Sursand, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate
For the Opposite Party/s : Mr. Mithilesh Kumar Khare, APP
Mr. Anuj Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 10-04-2017

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The Petitioner seeks bail in Complaint Case No.C1-
1462 of 2015 instituted for the offence under Section(s) 498-A/34
Indian Penal Code.

Opposite Party No.2 has appeared with her mother.
She has stated that she has talked with the petitioner (husband) and
he has stated that he will keep her, but his mother is not ready for
the same. She has stated that one chance be given to the petitioner
(husband) so that she may persuade him to keep her.

Learned counsel for the petitioner has submitted that
he has no objection.

In the facts and circumstances of the case, let the
Petitioner, above named, be released on provisional bail for two



months to be calculated from the date of his release on furnishing bail bond of ₹10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Sadar, Sitamarhi, in connection with Complaint Case No.C1-1462 of 2015, subject to the conditions that both the bailors shall be the close relative of the petitioner.

During the period of provisional bail, the petitioner will talk with the Opposite Party No.2 (wife) either for keeping her with him or for amicable settlement of the dispute. In the event, the Court below finds that both are living together or amicable settlement has been made between them, the Court below will confirm the provisional bail of the petitioner.

It is made clear that in the event the Court below finds that petitioner is not ready to keep the wife or amicable settlement could not be made between the parties, the Court below will cancel the provisional bail of the petitioner.

It is further made clear that the wife will also co-operate in coming to amicable settlement with husband after his release on provisional bail.

(Sanjay Priya, J)

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