

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8843 of 2017

Arising Out of PS.Case No. -41 Year- 2014 Thana -AGIAUN BAZAR District- BHOJPUR

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1. Om Prakash Gupta Son of Sanjay Prasad Gupta @ Sanjay Sah Resident of Village + P.O. + P.S. - Dinara, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pushpa Devi Wife of Om Prakash Gupta, D/o Dina Nath Sah Resident of Village - Agiaon Bazar, Dist. Bhojpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Narayan Singh-I

For the Opposite Party/s : Mr. Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-03-2017 Heard the parties.

The petitioner is apprehending his arrest in connection with Agiaon Bazar P.S.Case No.41 of 2014 registered for offences punishable under Sections 341, 342, 498A, 504, 506/34 of the Indian Penal Code.

It is submitted on behalf of the petitioner that earlier the petitioner had moved before this Court for grant of anticipatory bail and the matter was sent to the Mediation Committee but the petitioner failed to appear in the mediation, however, the petitioner is still ready to keep Opposite Party No.2, who is wife and for that he had filed a petition before the Family Court for restitution of the conjugal rights also.

Heard learned A.P.P. and the learned counsel for the informant.

Having heard both sides. In view of the fact that let the



petitioner surrender before the court below on 20.03.2017 and make prayer for regular bail along with a petition that he is ready to keep the girl and on filing of such petition, he will also issue direction to the Opposite Party No.2 to be present in the court below on a date fixed and mediate between the parties. If she is ready to live with the petitioner, the petitioner will be released on provisional bail on its own satisfaction and they will be sent to live together and further the court below will watch their conduct for the period of six months and he will call both the parties each month on a date fixed and once after being satisfied with the conduct of the petitioner, the learned court below will confirm the provisional bail of the petitioner otherwise, and if he is not satisfied with the conduct of the parties, he is free to pass any other order or orders as deeds fit and proper.

It is also made clear that on appearance of Opposite Party No.2 before the court below, she is not ready to live with the petitioner without any cogent reason, the court below may pass an appropriate order.

With the aforesaid observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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