

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68293 of 2018

Arising Out of PS. Case No.-77 Year-2018 Thana- MAHILA P.S. District- Nalanda

Kakku Ranjan @ Kaku Ranjan, Son of Sharwan Sao, Resident of Village & P.S.- Deepnagar, District- Nalanda..... Petitioner/s

Versus

1. The State of Bihar.
2. Smita Sen, D/o Vinod Prasad, W/o Kakku Ranjan @ Kakku Ranjan, Resident of Mohalla- Sahokhar, Bandhu Bazar, P.S.- Sohsarai, District- Nalanda.
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey
For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State as well as complainant.

The petitioner is apprehending his arrest in connection with Mahila P.S. Case No. 77 of 2018 for the offence under Section 498 (A), 406, 504, 308/34 of the Indian Penal Code and 3/ 4 of the D.P. Act.

Learned counsel appearing on behalf of the petitioner submits that petitioner is ready to keep his wife with full honour and dignity. Referring to the petition filed for restitution of conjugal rights he submits that wife is neglecting and the petitioner is always ready to keep his wife with full honour and dignity.

Learned counsel for the opposite party submits that petitioner is treating his wife with cruelty and as such the



informant filed the instant case.

Considering the undertaking given by the petitioner before this Court the Court is inclined to grant provisional bail to the petitioner for six months, in the event of arrest or surrender within one month from today, be released the petitioners on provisional bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Court of learned S.D.J.M. Biharsharif, in connection with Mahila P.S. Case No. 77 of 2018. Petitioner is required to take his wife to her matrimonial home and keep her with full honour and dignity and after six months the Court assess the conduct of the petitioner in order to pass appropriate order on grant of regular bail on making the provisional bail absolute. Learned counsel for the informant submits that the wife is not interested in keeping her husband in jail custody, she is interested in living with her husband. She tenders that she will be one of the bailor in the instant case. Considering the aforesaid the Court below is directed to take the **wife as one of the bailor**, subject to the conditions as laid down under Section 438 Cr.P.C.

(Anil Kumar Upadhyay, J)

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