

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8120 of 2019

Arising Out of PS. Case No.-115 Year-2018 Thana- JANTA BAZAR District- Saran

Manoj Prasad, Son of Rameshwar Prasad, Resident of Village Dayalpur, P.S.
Janta Bazar, District Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sita Devi, Wife of Manoj Prasad, D/o Baijnath Gupta, Resident of Village Parsagadh, P.S. Ekma, District Saran at Chapra.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-02-2019 Heard the learned counsel appearing on behalf of the

petitioner and the learned Additional Public prosecutor for the

State.

Petitioner apprehends his arrest in Janta Bazar P.S.

Case No.115 of 2018, registered under Sections 307, 323,380,
498(A) and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the

petitioner is husband of the informant. Petitioner is ready to

keep his wife. It is submitted that the wife of the petitioner filed

complaint case on the basis of which, the present FIR was

lodged only because his wife is insisting to live in Darjeeling

where the petitioner is an employee in a *Kirana* shop. It is

submitted that the petitioner is ready to take his wife to



Darjeeling.

Taking into consideration the facts that the petitioner is ready to resolve the dispute between husband and wife by taking her to Darjeeling where the petitioner is residing, petitioner is directed to surrender in the court below within four weeks from the date of receipt of this order and on such the learned court below shall enlarge the petitioner 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 the learned A.C.J.M., Vth, Saran at Chapra in connection with Janta Bazar P.S. Case No.115 of 2018. Thereafter the learned court below shall make efforts for resolution of the dispute between husband and wife and if the petitioner keeps his wife properly, the learned court below shall confirm the provisional bail of the petitioner. If the petitioner fails to keep his wife with all honour and dignity, the learned court below shall dispose of the provisional bail of the petitioner immediately after lapse of four months.

(Prabhat Kumar Jha, J)

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