

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12572 of 2019

Arising Out of PS. Case No.-201 Year-2018 Thana- RAMGARHWA District- East
Champaran

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Ajay Shukla @ Ajay Kumar Shukla, Aged about 37 years, Male, Son of
Sajawal Shukla, Resident of Village- Panch Bhiriya, P.S.- Ramgarhwa,
District- East Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Niki Shukla @ Niki Devi, Wife of Ajay Shukla @ Ajay Kumar Shukla, D/o
Bageshawri Pandey, Resident of Village Ramgarhwa, P.S. Ramgarhwa,
District East Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Karandeep Kumar
For the Opposite Party/s : Mr.Satyavrat Verma

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 23-05-2019 Heard both sides.

The petitioner apprehends his arrest in Ramgarhwa P.S.
Case No.201 of 2018, registered under Sections 307, 498A, 354A,
354 and other sections of the Indian Penal Code.

The informant, wife of the petitioner, made allegation
that her husband is a drunker and he used to assault her due to
non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that the
petitioner is ready to keep his wife.

Learned counsel for the informant submits that the wife
is also willing to live with her husband and restore conjugal
relation provided her husband keeps her properly.

Taking into consideration the facts that both the husband



and wife are willing to live together and restore their conjugal relation with an object to have peaceful future, the 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 five 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 C.J.M., Motihari, East Champaran in connection with Ramgarhwa P.S. Case No.201 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C. with further condition that one of the bailors shall be the wife of the petitioner. Thereafter the learned court below shall take all efforts for resolution of the disputes between husband and wife. If the petitioner keeps his wife and her children properly, the learned court below shall confirm the provisional bail of the petitioner. If the petitioner fails to keep his wife and children properly, the learned court below shall pass order on the provisional bail of the petitioner in accordance with law immediately after lapse of five months.

(Prabhat Kumar Jha, J)

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