

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13637 of 2019

Arising Out of PS. Case No.-378 Year-2017 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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BABULAL RAM, aged about 30 years, male, Son of Shri Krit Ram @ Shri Preet Ram, Resident of Village - Baiyapur, P.S.- Shikarpur, Distt.- West Champaran at Bettiah.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Suman Devi, aged about 28 years, Wife of Babulal Ram, Resident of Village - Baiyapur, P.S.- Shikarpur, Distt.- West Champaran at Bettiah, D/o Amerika Ram, Resident of Village - Jhakhra, Gopalpur, P.S.- Gopalpur, Distt.- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Umesh Chandra Verma
For the Opposite Party/s	:	Mr.Ram Bilash Roy Raman
		Mr. Anant Kumar Mishra
		Mr. Sanjay Kumar No.7

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 06-03-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No.378C of 2017 registered under Sections 498(A) of the Indian Penal Code.

The petitioner is the husband.

Mr. Umesh Chandra Verma, learned counsel for the petitioner submits that petitioner is ready to keep his wife. Petitioner also filed petition for restitution of conjugal right.

Learned counsel for the complainant submits that complainant is ready to live with her husband provided that her husband keeps her with honour and dignity.

Having considered the facts that husband and wife are ready to live together after resolving their differences, let the petitioner, above named, be directed to surrender before the



court below within a period of four weeks from the date of receipt of the order and on such learned court below shall enlarge the petitioner on **provisional bail for four months** on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bettiah, District-West Champaran at Bettiah in connection with Complaint Case No.378C of 2017(Tr. No.SC.1281/18), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Thereafter, learned court below shall make efforts for resolution of the disputes between husband and wife. If the petitioners keeps his wife with all honour and dignity, the provisional bail granted to the petitioner shall be confirmed. If the petitioner fails to keep the complainant with honour and dignity and if it is found that the petitioner has already solemnised second marriage, learned court below shall pass order on the provisional bail of the petitioner in accordance with law immediately after lapse of four months.

(Prabhat Kumar Jha, J)

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