

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22742 of 2019

Arising Out of PS. Case No.-591 Year-2018 Thana- PUPRI District- Sitamarhi

Md. Ojair Son of Md. Yunus, Resident of Village- Hirauli, P.S.- Pupri,
District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nausawa Khatoon, Wife of Md. OJair and daughter of Gulam Kadir,
Presently residing at Village- Gadha, Ward No. 9, P.S.- Pupri, District-
Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ashok Kumar, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

8 06-12-2019 Heard learned counsel for the petitioner, learned
counsel for the Opposite Party No. 2 and learned A.P.P. for the
State.

The petitioner is apprehending his arrest in connection
with Pupri P.S. Case No. 591 of 2018 for the offence registered
under Sections 341, 323, 307, 498A, 504 and 506 of the Indian
Penal Code.

The Opposite Party No. 2 as well as the petitioner had
been directed to appear in the Court but though the petitioner is
present in the Court, even today, the Opposite Party No. 2 has
failed to appear. It is also to be noted that on the earlier two
occasions she had evaded from appearing before this Court in



pursuance to earlier orders of this Court. After interaction with the petitioner, it appears that he is willing and ready to keep his wife with all honour and dignity and that if the Opposite Party No. 2 comes to live with him in her matrimonial home, there shall be no recurrence of any such act which would amount to mental cruelty. He further submits that he shall be present as and when required during the course of the trial.

Considering the aforementioned facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned Sub Divisional Judicial Magistrate, Pupri, Sitamarhi, in connection with Pupri P.S. Case No. 591 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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