

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31923 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

ROHIT BIND, aged about 25 years, Male, Son of Ramashis Bind Resident of Village - Lakhna, P.S.- Kajra, District- Lakhisarai

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Janti Devi (F) Aged 22 years, D/O - Late Setho Bind Resident of Village - Beldari, Piri Bazar, Bind Toli, P.S.- Piri Bazar, District- Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Raju

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 14-05-2019 Heard both sides.

The petitioner apprehends his arrest in Piri Bazar P.S. Case No.1 of 2019 registered under Section 498(A)/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

The wife-informant made allegation that the petitioner subjected her to all sorts of torture due to non-fulfillment of demand of dowry.

The learned counsel for the petitioner submits that the petitioner is ready to keep his wife with all honour and dignity. Even before the learned Sessions Judge, the petitioner appeared and made prayer that he is willing to keep his wife.

Learned counsel for the informant-wife submits that the wife is also willing to live with her husband.

Taking into consideration the fact that husband and wife are ready to restore their conjugal relations, let the petitioner, above named, is directed to surrender before the court



below within a period of four weeks from the date of receipt of this 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 Sub-Divisional Judicial Magistrate, Lakhisarai in connection with Piri Bazar P.S. Case No.1 of 2019, 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 petitioner keeps his wife properly, learned court below shall confirm the provisional bail granted to the petitioner and if the petitioner fails to keep his wife with all honour and dignity without any rhyme and reason or no fault on the part of the wife, learned court below shall pass order on provisional bail of the petitioner in accordance with law immediately after lapse of four months.

The petitioner shall also file an affidavit at the time of his surrender that he has not solemnised any second marriage.

(Prabhat Kumar Jha, J)

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