

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.32283 of 2019**

Arising Out of PS. Case No.-1266 Year-2018 Thana- KATIHAR COMPLAINT CASE  
District- Katihar

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Pandav Das @ Tapas Das @ Tapas, Aged about 25 Years, Male, Son of Vimal Das, Resident of Village- Balukhoda, P.O. Chhogra, P.S.- Abadpur, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Malti Devi, Aged about 22 years, Female, W/o Pandav Das @ Tapas Das, D/o Sridam Das @ Shivam Das, Resident of Village Chhogra, P.S.- Abadpur, District- Katihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Harish Chandra Patel  
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA**  
**ORAL ORDER**

2      15-05-2019                      Heard learned counsel for the petitioner and the learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in Complaint Case No.C-1266 of 2018 for the offences allegedly committed by the petitioner under Section 498(A) of the Indian Penal Code.

Learned counsel for the petitioner submits that petitioner is ready to keep his wife at his own house but his wife insisted to live in the house of her maternal aunt. On account of this difference of opinion between the husband and the wife, the wife of the petitioner lodged the case making false and frivolous allegation. It is further submitted that the petitioner is still ready



to keep his wife.

Considering the facts and nature of allegations made against the petitioner, the petitioner, above named, is directed to surrender in the court below within four weeks from the date of receipt of this order and 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 C.J.M., Katihar in connection with Complaint Case No.C-1266 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C. Thereafter the learned court below shall make efforts to resolve the dispute between the husband and wife and if the petitioner keeps his wife properly or lives with his wife properly, the provisional bail granted to the petitioner shall be confirmed. If the petitioner fails to keep his wife properly, the learned court below shall pass order on the provisional bail of the petitioner immediately after lapse of four months.

**(Prabhat Kumar Jha, J)**

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