

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42844 of 2019

Arising Out of PS. Case No.-316 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Raushan Kumar @ Raushan Kumar Singh, Aged about 29 years, Male, Son of Sri Chandramauli Singh @ Mukesh Singh, Resident of village Malpur, P.S. Chhaurahi, District Begusarai (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Kumari, Wife of Raushan Kumar, D/o Sri Surya Shekhar Singh, Resident of Village Malpur, P.S. Chhaurahi, District Begusarai. at Present Village Ramdiri Tola Ram Nagar, P.S. Matihani, District Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar
For the Opposite Party/s : Mr.Anish Chandra

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-07-2019 Heard learned counsel for the petitioner, learned Additional Public Prosecutor and the learned counsel appearing on behalf of the complainant.

Petitioner apprehends his arrest in Complaint Case No.316 C of 2018, registered under Section 498A of the Indian Penal Code and under Sections 3 and 4 of the Dowry Prohibition Act.

The complainant, wife of the petitioner, made specific allegation that immediately after her marriage with the petitioner in the year 2015, the petitioner and his family members subjected her to all sorts of torture and drove her out



from the house.

When the learned counsel for the petitioner and the learned counsel for the complainant were requested to resolve the dispute, learned counsel for the petitioner submits that the dispute has gone to such an extent that it is impossible to reconcile and keep the complainant with him. It is further submitted that the petitioner is ready to resolve the dispute by sitting together.

On such the learned counsel for the complainant submits that the complainant is ready to live with her husband. It is her husband who has deserted her without her fault and now her husband wants to divorce her without any rhyme and reason but it is better for both of us to sit together and settle the dispute once for all.

Taking into consideration the facts aforesaid, 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 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 S.D.J.M., Begusarai in connection with Complaint Case No.316 C of 2018, subject to the



conditions laid down under Section 438(2) of the Cr.P.C. Thereafter the learned court below shall make efforts to resolve the dispute between the husband and the wife and if the dispute is resolved amicably, the provisional bail granted to the petitioner shall be confirmed. If the dispute is not resolved without the fault of the complainant, the learned court below shall dispose of the provisional bail of the petitioner immediately after lapse of four months in accordance with law.

(Prabhat Kumar Jha, J)

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