

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61182 of 2018

Arising Out of PS. Case No.-81 Year-2018 Thana- SATHI District- West Champaran

Sajid Imam Son of Nurul Imam, Resident of Village- Joda Inar (Kutti), Kali Baugh, P.S.- Bettiah Nagar, District- West Champaran.

... .. Petitioner/s

Versus

1. State of Bihar
2. Sabih Ara, Daughter of Md. Majharul Haque, Resident of Village- Joda Inar (Kutti), Kali Baugh, P.S.- Bettiah Nagar, District- West Champaran. Presently residing at Village- Barwa Kala, P.O.- Ghamaura, P.S.- Sathi, District- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushmita Mishra
For the Opposite Party/s : Mr.Sri Arun Kumar Singh -5

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 04-02-2019 Heard both sides.

The petitioner apprehends his arrest in Sathi P.S. Case No.81 of 2018 registered under Sections 498A, 315 other sections of the Indian Penal Code and under Section 3 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner is husband and he is ready to keep his wife provided that all pending criminal cases should be withdrawn by his wife.

It is further submitted that the wife is suffering from psychotic disorder since 2010 and the prescriptions are attached with the bail petition.

Learned counsel for the informant submits that the



wife is still ready to live with her husband.

Considering the willingness of the petitioner to keep his wife, the above named petitioner is directed to surrender in the court below within four weeks from the date of receipt/production of a copy of this order and the court below shall enlarge the petitioner on provisional bail for four months on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned C.J.M., Bettiah, West Champaran in connection with Sathi P.S. Case No.81 of 2018, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and the court below shall make efforts for reconciliation between the husband and the wife. If the dispute is resolved and the petitioner keeps his wife properly, the provisional bail granted to the petitioner shall be confirmed and if the dispute is not resolved between the husband and the wife, the court below shall pass order in accordance with law on the provisional bail of petitioner immediately after lapse of four months.

(Prabhat Kumar Jha, J)

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