

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44670 of 2019

Arising Out of PS. Case No.-882 Year-2015 Thana- SIWAN COMPLAINT CASE District-
Siwan

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Kush Kumar Yadav, Aged about 35 years, Male, Son of Jai Ram Yadav, Permanent Resident of Village Sukwa, P.S. Bhatprani, District Deoria (U.P.). At present Resident of Sharma Ashram, Labour Colony, Khursipur, Bhilai, Ward No. 35, Zone-3, Sector-11, Pol No. 10, District Durg (Chhattisgarh).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Poonam Devi, Aged about 30 years, Female, Wife of Kush Kumar Yadav, Daughter of Late Premchandra Yadav, Resident of Village Daraili Mathia, Police Station- Darauli, District- Siwan

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam
For the Opposite Party/s : Mr.Zainul Abedin

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 30-09-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No.882 of 2015 for the offences allegedly committed by the petitioner under Sections 498A, 406 and 323 of the Indian Penal Code.

The petitioner is the husband.

Learned counsel for the petitioner submits that the petitioner is ready to keep his wife with all honour and dignity.

Learned counsel for the complainant also submits that the wife is willing to live with her husband provided her husband keeps her with all honour and dignity.



Taking into consideration the facts that the petitioner-husband and wife are willing to restore their conjugal relation, the 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 anticipatory 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 A.C.J.M., 1st, Siwan in connection with Complaint Case No.882 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C. Thereafter the learned court below shall make efforts for resolution of the dispute between the husband and the wife. If the petitioner keeps his wife with all honour and dignity, the provisional bail granted to the petitioner shall be confirmed. If the petitioner fails to keep his wife on one pretext or the other, the learned court below is directed to pass order in accordance with law on the provisional bail of the petitioner immediately after lapse of four months.

(Prabhat Kumar Jha, J)

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