

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56989 of 2019

Arising Out of PS. Case No.-636 Year-2018 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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SANTOSH KUMAR S/o Baijnath Chaudhary R/o village- Dhanbakhara, P.S.-
Nawanagar, District- Buxar Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Kiran Devi @ Indu Devi W/o Santosh Kumar, Present Resident of Village-
Sultanpur, P.S.- Baghaila (Nokha), District- Rohtas at Sasaram

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghunandan Kumar Singh
For the Opposite Party/s : Mr.Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-09-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint
Case No.636 of 2018 registered under Section 498(A) of the
Indian Penal Code and under section 4 of the D.P. Act.

Learned counsel for the petitioner submits that the
petitioner is husband and he is ready to keep his wife. The wife
of the petitioner wants that the petitioner should keep her either
in a separate house or the petitioner should come to the house of
the complainant and when the petitioner did not agree, the
complainant filed this complaint case making allegation of
demand of dowry and torture. The complainant has got a child.

Learned counsel for the complainant and learned
A.P.P. submit that the complainant is also ready to restore



conjugal relations provided that her husband keeps her properly and with all honour and dignity.

Having considered the willingness of the husband and the wife to live together, 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 S.D.J.M., Rohtas at Sasaram in connection with Complaint Case No.636 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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