

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60650 of 2019

Arising Out of PS. Case No.-3 Year-2019 Thana- GHORASAHAN District- East Champaran

MOTIUR RAHMAN Son of Md. Mahboob, Resident of Village - Bagaha,
P.S.- Ghorasahan, Dist.- East Champaran.

... .. Petitioner/s

Versus

1. THE SATE OF BIHAR
2. Nursawa Khatoon @ Nursawa W/o Motiur Rahman, D/o Md. Jabbar at present residing in Village - Karsahiya, P.S.-Dhaka, Dist.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Pandey

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-10-2019 Heard both sides.

The petitioner apprehends his arrest in Ghorasahan P.S. Case No.3 of 2019 registered under Section 498(A), 341, 323 and 34 of the Indian Penal Code and under Section 3/4 of Dowry Prohibition Act.

The informant is the wife of the petitioner. The petitioner is ready to keep his wife. When the wife of the petitioner did not agree to accompany the petitioner, petitioner also filed Matrimonial Case No.164 of 2019. It is further submitted that petitioner is still ready to keep his wife.

Learned counsel for the informant-wife is also willing to live with her husband.

Taking into consideration the fact that husband and



wife are willing to restore their conjugal relation, let the petitioner, above named, is directed to surrender before the court below within a period of four weeks from the date of receipt of this order and on such, learned court below shall enlarge the petitioner on provisional bail for four months on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Dhaka, Motihari, East Champaran in connection with Ghorasahan P.S. Case No.3 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Thereafter, the learned court below shall make efforts for resolution of the disputes between husband and wife. If the petitioner keeps his wife properly, learned court below shall confirm the provisional bail granted to the petitioner and if the petitioner fails to keep his wife with all honour and dignity without the fault of the wife, learned court below shall pass order on provisional bail of the petitioner in accordance with law immediately after lapse of four months.

Saurabh/-

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(Prabhat Kumar Jha, J)

