

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15249 of 2020

Arising Out of PS. Case No.-387 Year-2019 Thana- JOKIHAT District- Araria

MD. ARIF @ MD. AARIF Son of Md. Gayas @ Gayyasuddin Resident of Village - Harwa, Ward No. 4, P.S.- Jokihat, Distt - Araria.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Perween Khatoon Wife of Md. Arif @ Md. Aarif Resident of Village - Harwa, Ward No. 4, P.S.- Jokihat, Distt - Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar

For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 08-09-2020 Heard both sides.

The petitioner apprehends his arrest in Jokihat P.S case No. 387/ 2019 registered under Section 341, 323, 354, 498A/34 of the IPC.

At the outset of the argument the learned counsel for the petitioner submits that the petitioner is ready to keep his wife with all honour and dignity. The marriage of petitioner with the informant was solemnized 12 years ago. On petty dispute his wife lodged this case.

The learned counsel for the informant submits that informant is also ready to live with her husband along with children.



Taking into consideration the facts that husband and wife are ready to restore their conjugal life, the petitioner, above named, is directed to surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order and on such the learned court below shall enlarge the petitioner on provisional anticipatory bail for six months on his furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Jokihat P.S. case No. 387/ 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure. The learned court below shall make all efforts for resolving the dispute between the husband and wife and if the petitioner is ready to keep his wife properly the provisional bail granted to the petitioner shall be confirmed. If the petitioner fails to keep his wife properly, the learned court below shall pass order on the provisional bail of the petitioner, in accordance with law, immediately after six months.

(Prabhat Kumar Jha, J)

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