

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23285 of 2020

Arising Out of PS. Case No.-787 Year-2019 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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RAMESH KUMAR S/o Bindeshwar Singh Resident of Village-Kora
Khargee, P.S.-Parsauni, District-Sitamarhi (Bihar).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Sarmila Kumari W/o Ramesh Kumar D/o Bikau Singh Resident of Village-
Majhaura, P.S.-Bathnaha, District-Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shankar Kumar, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 07-10-2020 Heard Mr. Shankar Kumar, learned Counsel for the

petitioner and Mr. Nawal Kishore Prasad, learned Additional

Public Prosecutor for the State.

The petitioner is apprehending arrest in connection
with Complaint Case No. – C-1/787 of 2019, trial No. 3735 of
2019 registered for the offence under Sections 498A, 34 of
Indian Penal Code.

Learned counsel for the petitioner would submit that
the petitioner is husband of the complainant. He is ready to
keep his wife with full honour and dignity. Referring to the
order of the court below learned counsel contends that even in
the court below the petitioner has agreed to keep his wife with



full honour and dignity. The only predicament of the petitioner is that he may not be compelled to receive his wife from Sasural as he apprehends man handling.

Counsel for the State submits that if the petitioner is willing to keep his wife honestly with full honour and dignity he should be given opportunity for restoration of normal conjugal life.

In order to promote normal conjugal life, the Court is inclined to grant privilege of anticipatory bail to the petitioner. Let the petitioner, above named, in the event of arrest or surrender within a period of one month from the date of communication of the order, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of SDJM, Sadar Sitamarhi in connection with Complaint Case No. – C-1/787 of 2019, trial No. 3735 of 2019, subject to the conditions laid down under Section 438 (2) of Cr.P.C.

After release of the petitioner the court below shall ensure that the matter is sent to the mediation center to resolve the differences between the husband and wife and after proper counseling the couple should be persuaded to join matrimonial house to lead a normal conjugal life ignoring the past



differences and bitterness between them.

(Anil Kumar Upadhyay, J)

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