

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80648 of 2019

Arising Out of PS. Case No.-6 Year-2019 Thana- MAHILA P.S. District- Nawada

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GODDU PRASAD @ GUDDU PRASAD Son of Ram Briksh Prasad
Resident of Village- Bela Dih, P.S.- Rajouli, District - Nawada.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Renu Devi D/O Brahmdeo Mahto Resident of Village - Dirmobara, P.S. - Roh, District - Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

4 30-06-2020 Heard learned counsel for the petitioner, learned counsel for OP No.2 as well as learned APP through video conferencing.

Needless to say with regard to the dispute which happens to be amongst the spouses. At one end, instant prosecution has been drawn up while at the other end, a petition under Section 9 of the Hindu Marriage Act (for restitution of conjugal rights) has been filed by the petitioner.

Learned counsel for the petitioner has submitted that petitioner is ready to keep his wife while learned counsel for OP No.2 has submitted that after solemnization of marriage in the year 2013, petitioner remained at his Sasural, begotten a



daughter in the year 2017 and subsequently thereof, petitioner became torturous who, later on, also castigated upon her character.

However, both the learned counsels are of the view that the matter be referred to the learned lower court where, in presence of both the parties, with the intervention of the Presiding Officer, the matter will be amicably sorted out.

That being so, the matter is transmitted to the learned lower court itself with a direction that on the date of surrender petitioner will be enlarged on provisional bail and then, further events will be taken up in presence of wife/informant and in case, the matter is compromised, then in that event, the provisional bail will be confirmed otherwise, the learned lower court will pass appropriate order in accordance with law.

In terms thereof, instant petition is disposed of.

(Aditya Kumar Trivedi, J)

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