

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85162 of 2019

Arising Out of PS. Case No.-447 Year-2017 Thana- COMPLAINT CASE District-
Kishanganj

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SADDAM HUSSAIN @ MD.SADDAM Son of Jassimuddin Resident of
Village - Sindhia Sultanpur, Chaklaghat, P.S. and District- Kishanganj

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Noor Jahan Begam Wife of Saddam Hussain, D/O - Badruddin Ansari
Resident of Village - Sindhia Sultanpur, Chakalaghat, P.S. and District-
Kishanganj

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Sinha
For the Opposite Party/s : Mr.Amarendra Prasad

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 19-08-2020 Heard both sides through Video Conferencing.

The petitioner apprehends his arrest in Complaint
Case No.C447 of 2017 registered under Section 498A of the
Indian Penal Code.

By order dated 22.01.2020, notice was issued to O.P.
No.2-the wife of the petitioner. It appears from perusal of the
record that notice was validly served on O.P. No.2 but she did
not appear as yet.

Since the learned counsel for the petitioner submits
that petitioner is ready to keep his wife with all honour and
dignity, the petitioner, above named, is directed to surrender in
the court below within a period of six weeks from the date of



receipt of this order and on such, learned court below shall enlarge the petitioner on provisional bail for six months on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishanganj in connection with Complaint Case No.C447 of 2017, 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 dispute between the husband and the wife. If the dispute between the husband and the wife is resolved, the provisional bail granted to the petitioner shall be confirmed. If the petitioner fails to keep his wife properly or the dispute is not amicably resolved, learned court below shall pass order on the provisional bail of the petitioner immediately after lapse of six months in accordance with law.

(Prabhat Kumar Jha, J)

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