

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 33425 of 2020

Arising Out of PS. Case No.-76 Year-2018 Thana- MAHILA PS District- Jamui

Sakaldeo Yadav, aged about 30 years, Son of Sadhu Yadav, Resident of village- Jajal, P.S.- Sikandara, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pratibha Kumari, Wife of Sakaldeo Yadav, Resident of Village- Kharhui, P.S. Khaira, District- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate
For the Opposite Party No. 2 : Mr. Pankaj Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 26-10-2021 Heard Amrendra Kumar, learned counsel appearing for the petitioner, Mr. Pankaj Kumar Sinha, learned counsel appearing for the opposite party no. 2 and learned counsel appearing for the State.

The petitioner seeks anticipatory bail for the alleged offence under Sections 379 and 498A/34 of the Indian Penal Code arising out of Jamui Mahila P.S. Case No. 76 of 2018 pending in the Court of learned Sub-Divisional Judicial Magistrate, Jamui.

After some arguments, learned counsel appearing for the petitioner and learned counsel appearing on behalf of the opposite party no. 2 wants for restitution of their conjugal life.

Considering the aforesaid stand of the petitioner and



opposite party no. 2, this Court directs that if the petitioner surrenders before the Court below within a period of eight weeks from today, he shall be released on provisional bail. The Court below shall notice the opposite party no. 2. On appearance of opposite party no. 2, the Court below shall explore the possibilities of settlement between the spouses. In case, the settlement is arrived, the opposite party no. 2 may return to her matrimonial home with full dignity or in the event the informant/opposite party no. 2 deliberately choose not to settle the dispute without any reason and the conduct of the petitioner is found to be genuine his provisional bail shall be confirmed by the Court below.

With the aforesaid observation/direction, the application stands disposed off.

It has been informed by learned counsel appearing on behalf of the opposite party no. 2, Mr. Pankaj Kumar Sinha that the Maintenance Case No. 184M of 2018 filed under Section 125 of the Cr. P.C. order dated 20.03.2020, learned Court below has fixed the amount of Maintenance of Rs. 5,000/- to be paid per month by the petitioner to the opposite party no. 2 and Rs. 2,000/- to her minor daughter each month.

Let the learned Court below verify the order



dated 20.03.2020 relating to Maintenance Case No. 184M of 2018 passed under Section 125 Cr.P.C. and direct the petitioner to make payment of the entire default amount within a fixed period as the Court below may deem fit and proper.

(Purnendu Singh, J.)

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