

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81551 of 2019

Arising Out of PS. Case No.-600 Year-2019 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Hira Thakur, aged about 30 years, Male, Son of Yogendra Thakur, Resident of
Muhalla- Radhaur, P.S.- Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Geeta Devi, aged about 27 years, Female, W/o Hira Thakur, Resident of
Muhalla- Radhaur, P.S.- Sursand, District- Sitamarhi, at present address- D/o
Bhikhan Thakur, Village- Barahi, P.S.- Parihar, District- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Ranjeet Kumar Mishra, Advocate
For the State	:	Mr. Shyam Bihari Singh, APP
For O.P. No.2	:	Mr. Shankar Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 10-02-2021 Heard Mr. Ranjeet Kumar Mishra, the learned counsel
for the petitioner, Mr. Shyam Bihari Singh, the learned Additional
P.P. and Mr. Shankar Kumar, the learned counsel appearing on
behalf of the opposite party no.2.

The petitioner apprehends his arrest in Complaint Case
No.C 1-600/2019, for the offences allegedly committed by the
petitioner under Sections 323 and 498(A) of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
petitioner is ready to keep his wife with all honour and dignity but
the wife is not ready to live with him. The wife has already filed
divorce case being Matrimonial Case No.250 of 2010, which is



pending in the court of the learned Principal Judge, Family Court, Sitamarhi. The petitioner has already appeared in the Family Court and asserted that he is ready to keep his wife.

Learned counsel for the complainant submits that the opposite party no.2 got two children from the wedlock, but she is not ready to live with her husband.

Taking into consideration the facts that the wife herself is not ready to live with her husband she wants divorce, which is already pending in the court of the learned Principal Judge, Family Court, Sitamarhi, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be enlarged on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Complaint Case No. C 1-600/2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

S.KUMAR/-

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