

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65071 of 2021

Arising Out of PS. Case No.-285 Year-2017 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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CHANDAN RAM, S/o Ram Pravesh Ram R/o Village - Yogiara @ Yogiara,
P.S. - Jale, Dist. - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. SUKHCHAIN DEVI W/o Chandan Ram, D/o Mahindra Ram R/o Village - Yogiara @ Yogiara, P.S. - Jale, Dist. - Darbhanga, at present R/o Village - Belahiya, P.S.- Sursand, Dist. - Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok
For the Opposite Party/s : Mr.Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-05-2022 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two

weeks of the complete start of the physical Court in normal

course.

The petitioner seeks regular bail in connection with

Complaint Case No. C1/285/2017, Trail No. 2779 of 2019 for

the offence punishable under Sections 498A, 379 and 307 of the

Indian Penal Code and Section 4 of the D.P. Act.

As per the prosecution story, the present case relates

to matrimonial dispute between the husband and the wife and

due to strained relationship between them, complainant who is



the wife of the petitioner has resorted to file the present case.

Learned counsel appearing on behalf of the petitioner submits that the petitioner has made specific statement in Para-14 of the bail application that the petitioner was having very good relationship with his wife (opposite party no.2) and as a result of which, they were blessed with a son namely Satyam Kumar. The marriage had taken place on 04.06.2015. To the reasons best known to the informant, she strained up the relationship to the extent that the petitioner is now in custody without any reason since 27.07.2021. He further submits that though he has not received any instruction as to whether the petitioner is ready to keep the opposite party no.2 with full dignity and honour, but taking into consideration the very object of the Act, he will take all possible steps so that the husband and the wife may reconcile their dispute and lead a happy married life, if the petitioner is released on provisional bail on any terms and conditions as imposed by this Court.

Mr. Abu Nasar, learned counsel appearing on behalf of the complainant has accepted the offer made by learned counsel appearing on behalf of the petitioner and he has made specific statement that he has also received instruction from the complainant who is the wife of the present petitioner that she is



ready to live along with the petitioner, if the petitioner keeps her in a dignified manner and supports her and her child physically as well as monetarily.

Having heard the parties, it appears that due to strained relationship between the husband and wife, the complainant resorted to file the present complaint case against the petitioner who is her husband. It appears in the interest of the family and the husband and wife who are blessed with a child that the parties may be given a chance to reconcile their relationship to lead a happy married life. Considering the aforesaid facts, both the parties have now agreed to live together. It would be in the interest of justice to release the petitioner on provisional bail for a period of one year so that the parties may enter into some sort of amicable settlement either through mediation or through interference of well wishers and friends.

The petitioner, above named, is directed to be enlarged on **provisional bail for a period of one year**, on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Sadar, Sitamarhi, in connection with Complaint Case No. C1/285/2017, Trial No.



2779 of 2019, on such terms and conditions as fixed by the court below.

If it is found that no complaint is made by the complainant within the aforesaid period, the provisional bail granted to the petitioner by this Court shall become absolute after the aforesaid period.

With the aforesaid observation, this application stands disposed of.

(Purnendu Singh, J)

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