

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11193 of 2020

Arising Out of PS. Case No.-271 Year-2019 Thana- SHERGHATI District- Gaya

MD. NAZIR S/o Md. Rafique R/o village- Piparpanti, P.S.- Sherghati,
District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shayak Khatoon D/o Hasim Khan R/o village- Angra, P.S.- Dobhi, District- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 27-04-2023 Heard Mr. Sudhir Kumar Sinha, learned Counsel for the petitioner and Ms. Asha Kumari, learned Additional Public Prosecutor for the State and learned counsel appearing on behalf of Opposite Party No.2.

2. The petitioner seeks pre-arrest bail in connection with Sherghati (Dobhi) P.S. Case No. 271 of 2019, registered for the offences punishable under Sections 341, 323, 504, 498(A)/34 of Indian Penal Code.

3. Learned counsel appearing on behalf of the petitioner informs this Court that the petitioner is ready to keep Opposite Party No.2 who is legally wedded wife with dignity and honour. The O.P. No.2 is also willing to lead happy matrimonial life with the petitioner.

4. Learned counsel appearing for the State has



vehemently opposed the prayer for bail.

5. Considering the aforesaid statement of the petitioner, the petitioner is directed to be released on provisional bail. The Court below is directed to take steps to reconcile the strained relationship between the petitioner and Opposite Party No.2. If the parties live together, the Court is further required to observe well being of the parties for husband and wife for a further period of one year and within that period, if no compliant is made by Opposite Party No.2, the provisional bail granted to the petitioner is directed to be made absolute subject to the conditions as contained under Section 438 (2) of the Code of Criminal Procedure and with a further condition that if the statement made in paragraph No.3 of the present bail application with respect to the criminal antecedent of the petitioner is found to be incorrect, this order will automatically will lose its force and on such condition as the Court below may deem fit and proper.

6. Accordingly, the bail application stands disposed of.

(Purnendu Singh, J)

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