

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66111 of 2022

Arising Out of PS. Case No.-370 Year-2021 Thana- COMPLAINT CASE District- Jamui

Jitendra Manjhi S/o Mehdi Manjhi R/o Village- Chandrashekhar Nagar,
Gugaldih, P.S- Barhat, District- Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. Savita Devi D/o Sukhdev Manjhi R/o Village- Mahmadli, P.O- Barhat, P.S- Barhat, District- Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 17-05-2023 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Complaint Case No. 370c of 2021, registered under Sections 498(A)/34 and 494 of the Indian Penal Code.

3. The Opposite Party No.2 due to strained relationship and petitioner having tortured and ousted her from matrimonial house lodged a complaint against the petitioner and other co-accused.

4. Learned counsel appearing on behalf of the petitioner submitted that the petitioner is ready to keep the complainant with full dignity and honour and he has made



specific statement to that effect in Para-8 of the bail application that the petitioner is still ready to keep her wife with full dignity.

5. Considering the fact that the parties are having strained matrimonial relationship, the petitioner is now ready to keep the complainant with full dignity and honour and he will also ensure her physical desire as well as financial needs, the petitioner and the complainant are directed to appear before the learned court below by filing a joint affidavit to the effect that they are living together. The aforesaid affidavit is required to be filed within a period of six weeks, till then no coercive step shall be taken against the petitioner in connection with Complaint Case No. 370c of 2021.

6. If such joint affidavit is filed, the petitioner, above named, is directed to be released on pre-arrest bail **provisionally** on such terms and conditions as the learned Court below deems it fit and proper.

7. In case the parties disagree to live together, the Court below will strive to reconcile the matrimonial dispute between the parties by referring the matter before the District Mediation Centre till then the petitioner is directed to be released on provisional bail till the report of the District



Mediation Centre reported to the concerned Court. After report is submitted and parties reconcile or agree to live separately on the basis of terms and conditions of the agreement the learned Court below is directed to observe the conduct of the petitioner for a period of one year and if no complaint is made by the complainant, the provisional bail granted to the petitioner shall be confirmed subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The bail application, accordingly, stands disposed of.

(Purnendu Singh, J)

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