

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71341 of 2022

Arising Out of PS. Case No.-461 Year-2021 Thana- DESARI District- Vaishali

Chandan Rai @ Chandan Kumar S/O Amrit Rai Resident of village- Sahdei
Chakawa, P.S.- Desari, District- Hajipur Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 17-05-2023 Heard Mr. Sunil Kumar Singh, learned Counsel

appearing on behalf of the petitioner and Mr. Dashrath Mehta,

learned A.P.P. appearing on behalf of the State.

2. The petitioner seeks pre-arrest bail in connection
with Desari P.S. Case No. 461 of 2021 offences punishable
under Sections 341, 323, 307, 498(A) and 34 of the Indian Penal
Code.

3. The present case relates to matrimonial dispute
between the petitioner and Opposite Party No. 2, who are
husband and wife.

4. It is jointly prayed on behalf of the petitioner and
Opposite Party No.2, who are husband and wife, that they want
to reconcile their strained matrimonial relationship.

5. Considering the fact that parties are having strained



matrimonial relationship now they are ready to reconcile their matrimonial dispute and lead a happy matrimonial life, the petitioner and Opposite Party No. 2 are directed to appear before the Court below to file 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.

6. In case no joint affidavit is filed, the interim protection granted to the petitioner will loose its force automatically.

7. If such affidavit is filed, the petitioner, above named is directed to be released on provisional bail on such terms and conditions as the Court below deems it fit and proper.

8. The 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 Opposite Party No. 2, the provisional bail granted to the petitioner shall be confirmed subject to the condition as laid down under Section 438(2) of the Cr.P.C.

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

(Purnendu Singh, J)

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