

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1622 of 2017

Arising Out of PS.Case No. -185 Year- 2016 Thana –PAKARIBARAWAN District- NAWADA

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1. Sudarshan Chauhan Son of Chandeshwar Chauhan Resident of Village :
Charihari, Police Station : Pakri Barawan, District : Nawadah, Mob. No.
9801669693.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Gayatri Devi Wife of Sudarshan Chauhan Resident of Village : Charihari,
Police Station : Pakri Barawan, District : Nawadah, Mob. No. 9155375704.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arjun Prasad

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 09-05-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Pakribarawan
P.S. Case No. 185 of 2016 initiated for the offence under Sections-
341, 323, 307, 379, 494, 498A/34 of the Indian Penal Code and 3/4
of Dowry Prohibition Act.

Both the informant and the petitioner are present with
their respective counsels. The husband has taken the wife with him
in terms of order dated 09-02-2017 and she is living with the
husband. The wife has stated that she is living happily with her
husband (petitioner). The petitioner is taking all care and comforts
to his wife.

In such circumstances, this application is disposed of



with direction to petitioner to surrender before the court below i.e. Sri Niraj Kishore Singh, the learned Judicial Magistrate-Ist Class, Nawada within a period of four weeks from today in connection with Pakribarawan P.S. Case No. 185 of 2016 along with his wife and in that event, the court below will release the petitioner on provisional anticipatory bail on its own satisfaction for a period of one year and will monitor the relationship between the parties by calling both of them every month in the court and in the event, the court below finds that good conjugal relationship have been restored between husband and wife and, wife does not make any complain about the physical and mental torture committed by the petitioner during that period, the court below shall confirm the provisional bail of the petitioner after one year.

It is made clear that in the event during the period of monitoring, the wife makes any complain about physical and mental torture committed by the petitioner, it will be open to the court below to pass appropriate order in accordance with law including cancellation of provisional bail of the petitioner without taking into consideration the observations made above by this court.

(Sanjay Priya, J)

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