

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3178 of 2017

Arising Out of PS.Case No. -286 Year- 2016 Thana -AJAMNAGAR District- KATIHAR
=====

1. Arbind Kumar Rai, son of late Kedar Nath Rai, resident of Belbari,
Police Station-Azam Nagar(Salmari), District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Surya Prakash, Advocate

For the Opposite Party/s : Mr. Sri Anant Kumar, APP

Md. Musowir, Advocate
=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 06-03-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Azam Nagar
P.S. Case No.286 of 2016 instituted for the offence under
Section(s) 498-A, 323, 315/34 Indian Penal Code.

Both husband and wife are present. The husband has
stated that he is ready to keep the wife.

The wife is also ready to live with the husband
provided the petitioner-husband comes to take her from maternal
home.

In such circumstances, this application is disposed off
with direction to the petitioner to surrender before the Court below
within a period of six weeks from today in connection with Azam



Nagar P.S. Case No.286 of 2016, along with the Affidavit that he will keep her with all dignity and care and in the event the Court below finds that the petitioner is ready to keep the wife with full dignity and care, the court below will release the petitioner on provisional bail on its own satisfaction for a period of six months and issue notice to the wife-Opposite Party No.2. After appearance of the wife-Opposite Party No.2, the Court below will fix a date for *Bidagari* of wife-Opposite Party No.2, with the consent of the husband and wife, and on that date the petitioner (husband) will go to his *Sasural* to bring his wife and thereafter the Court below 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 or Court below finds that good conjugal relationship could not be restored on account of indifferent attitude of wife or wife does not make any complain during the period of monitoring about physical and mental torture committed by petitioner, the Court below shall confirm the provisional bail of the petitioner after six months.

It is made clear that in the event petitioner does not surrender in the Court below along with Affidavit, as ordered above, or on appearance of wife petitioner refuses to keep her with



him or during the period of monitoring wife makes 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)

JA/-

U		T	
---	--	---	--

