

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7442 of 2017

Arising Out of PS.Case No. -29 Year- 2000 Thana -ARARIA District- ARARIA

=====

Vijay Kumar Mandal, son of late Uttam Lal Mandal, resident of village jamua, P.S. Tarabari, Distt. Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate.

For the Opposite Party/s : Mr. Nawal Kishore Prasad Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-02-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Araria P.S.

Case No. 29 of 2000 instituted for the offence under Sections 376, 493 and 313/34 of the Indian Penal Code.

It has been submitted that the victim girl has already married with this petitioner as it appears from Annexure-2 which is a petition filed in the court of A.D.J.-III, Araria, in Cr. Revision No. 230 of 2001.

In such circumstances, this application is disposed off with a direction to the petitioner to surrender before the court below along with the victim girl and in the event the court below will find that the petitioner has married with the victim girl and they both are living together happily and leading good conjugal life, the court below will grant provisional bail to the petitioner for



a period of three months and monitor the relationship between them by calling both petitioner and wife in court every month. In the event the court below finds that both are living together happily, the provisional bail granted to the petitioner will be confirmed.

It is made clear that in the event the court below receives complaint from the wife against the petitioner of committing mental and physical torture with her during period of monitoring or the court finds that the husband is not keeping her properly or after appearance in the court, the wife is ready to go with her husband, but the husband is not ready to take the wife, the court below will be at liberty to pass appropriate order in accordance with law and also would be at liberty to cancel the provisional bail granted to the petitioner, without taking into consideration the aforesaid observations of this Court.

(Sanjay Priya, J)

S.Ali/-

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

