

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12959 of 2017

Arising Out of PS.Case No. -26 Year- 2016 Thana -BEGUSARAI COMPLAINT CASE District-
BEGUSARAI

=====

Parikshit Prakhar @ Prawar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Saket Tiwary

For the Opposite Party/s : Mr. Sri Anuj Kumar Srivastava

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-05-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Complaint Case
No. 26 C of 2016 instituted for the offence under Section-498A of
the Indian Penal Code and Section-4 of Dowry Prohibition Act.

The petitioner is husband of the complainant.

It has been submitted that he is always ready to keep
his wife with him.

The notice was issued to opposite party No. 2 which
has validly been served. As per office report, opposite party No. 2
has personally received the notice but neither she appeared
personally nor any vakalatnama has been filed on her behalf.

It has been mentioned in paragraphs-10 & 12 of the
petition that the petitioner is ready to keep the informant (his wife)



In such circumstances, this application is disposed of with direction to petitioner to surrender before the court below i.e. learned Sub Divisional Judicial Magistrate, Begusarai within a period of four weeks from today in connection with Complaint Case No. 26 C of 2016 along with affidavit that he is ready to keep the wife with full dignity and care and in the event, the court below is satisfied that petitioner is ready to keep the wife with full honour and dignity, the court below will release the petitioner on provisional anticipatory bail to its own satisfaction for a period of nine months and will issue notice to the wife-opposite party No. 2 and on appearance of opposite party No. 2, will try to reconcile the matter 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 the period of her stay with him or court below finds that good conjugal relationship could not be restored on account of indifferent attitude of wife, or the wife does not appear even after service of notice, the court below will confirm the provisional bail of the petitioner after nine months.

It is made clear that in the event the petitioner does



not surrender in the court below along with affidavit, as ordered above, or during the period of monitoring the wife makes complain about physical and mental torture committed by the petitioner while living with him or on appearance of wife the petitioner does not become ready to take her with him, 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)

A.K.V./-

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

