

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20838 of 2015

Arising Out of PS.Case No. -6 Year- 2015 Thana -MANJHI District- SARAN

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Sarvesh Pandey, s/o- Praduman Pandey, resident of village- Chaiphul, P.S.-
Manjhi Dist- Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate.
For the Opposite Party/s : Mr. S. Dayal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

8 02-03-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Manjhi P.S.

Case No. 06 of 2015 instituted for the offence under Sections 323
and 498A of the Indian Penal Code.

It has been submitted on behalf of the petitioner that
both husband and wife are living together.

In such circumstances, the application is disposed off
with a direction to the petitioner to surrender before the court
below along with his wife (opposite party No. 3) namely, Rinki
Devi, within a period of four weeks from today and make prayer
for regular bail along with an affidavit that he will keep his wife
with full honour and dignity and in the event the court below is
satisfied that both husband and wife are living happily, he will



enlarge the petitioner on provisional bail for a period of six months and monitor the relationship by calling both of them in court every month. In the event, the court below is satisfied that the parties are living together happily and good relationship has been restored between the parties, the provisional bail granted to the petitioner will be confirmed.

It is made clear that in the event the petitioner does not surrender before the court below along with his wife, i.e. opposite party No. 3, namely, Rinki Devi, within a period of four weeks from today, as ordered above, or the wife during the period of monitoring makes complaint about mental and physical torture committed by the petitioner, 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 being prejudiced by the observation made above.

With aforesaid observations, the application is disposed off.

(Sanjay Priya, J)

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