

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42768 of 2016

Arising Out of PS.Case No. -686 Year- 2012 Thana -MUNGER COMPLAINT CASE District-
MUNGER

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Md. Taufique Alam, son of Md. Moizuddin @ Md. Moiz, resident of
village-Bhatta, P.S.-Kashichak, District-Nawada

.... Petitioner/s

Versus

1. The State of Bihar &
2. Ruby Parween, wife of Md. Taufique Alam and D/o Md. Iaubal,
resident of Mohalla-Topkhana Bazar, P.S.- Kotwali, District-Munger.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the State : Mr. Kalyan Shankar, APP
For the Opposite Party No.2 : Mr. Arbind Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 11-01-2017

It appears that by order dated 06.10.2016, the Registrar (Vigilance) of this Court was directed to submit a report with regard to filing of two bail petitions by the petitioner i.e. the present bail application (Cr. Misc. No.42768 of 2016) and the another application filed vide Token No.047098 of 2015.

The Registrar (Vigilance) has submitted its report which is kept with the record. According to the report, the application filed through Token No.047098 of 2015 is still defective.

Heard learned counsel for the Petitioner and the State as well counsel for the Opposite Party No2.

The Petitioner apprehends his arrest in Complaint



Case No.686-C of 2012 instituted for the offence under Section(s) 498-A Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act.

The Opposite Party No.2 is present in Court and she is ready to live with the petitioner.

Counsel for the petitioner submits that he is also ready to keep the wife with him with full dignity and care.

In such circumstances, this application is disposed off with direction to the petitioner to surrender before the Court below (Sub-Divisional Judicial Magistrate, Munger), within a period of six weeks from today in connection with Complaint Case No.686-C of 2012 and make prayer for regular bail with an affidavit that he is ready to keep the wife with care and dignity and if the Court below is satisfied that the petitioner is ready to keep the wife with care and dignity and will not harass her mentally or physically, the court below shall release the petitioner on provisional bail on its own satisfaction for a period of six months and the Court below will monitor the relationship between the parties by calling them every month and in the event the Court below finds that both the parties are living happily and there is no complain from the side of wife, the Court below shall confirm the provisional bail of the petitioner after six months.



It is made clear that in the event the petitioner does not surrender in the Court below along with the affidavit as ordered above or the Court below finds that the petitioner is not ready to keep the wife with full dignity and care and/or conjugal relationship could not be restored between the husband and wife due to the harsh attitude of the husband, it will be open to the Court below to pass appropriate order in accordance with law without taking into consideration the observations made above.

The application stands disposed off.

(Sanjay Priya, J)

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