

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.64 of 2017

Arising Out of PS.Case No. -152 Year- 2016 Thana -BIHIYA District- BHOJPUR

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Md. Imtiyaz Ansari @ Md. Parvej Ansari

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4 06-04-2017

Both parties along with their respective counsels are present today. The father of the opposite No. 2 is also present in court. Both parties have agreed to live together. The petitioner will visit his Sasural on 21-04-2017 and will take the wife with him and both will appear in court below together on 24-04-2017 and will file an undertaking in the court below that they will live together properly and they will not commit any mental and physical torture with each other.

This application is accordingly disposed off with direction to petitioner to surrender before the Court below i.e. learned 5th A.C.J.M., Bhojpur, Ara within a period of four weeks from today in connection with Behia P.S. Case No. 152 of 2016 along with affidavit that he will keep the wife with full dignity and care and in the event the Court below finds that petitioner is ready to keep the wife with full dignity and care, the court below will release the petitioner on provisional bail to its own satisfaction for



a period of six months and will try to reconcile the matter 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 become ready to go with her husband on her appearance in court, 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 wife and Affidavit, as ordered above, or during the period of monitoring the wife makes complain about physical and mental torture committed by the petitioner or on appearance of wife in the court 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./-

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