

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49013 of 2016

Arising Out of PS.Case No. -1860 Year- 2013 Thana -SARAN COMPLAINT CASE District-
SARAN

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Pramod Kumar Soni

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

5 18-04-2017 Both the husband and the wife are present along with

their respective counsels in court.

They have stated that they are living together since one
and half months. The husband has stated that he will not commit
any physical and mental torture with his wife. The wife has stated
that she will live in the house of her husband.

In such circumstances, the petitioner is directed to
surrender in the lower court within four weeks from the date of
receipt of this order along with an undertaking that he will keep
the wife with full dignity and honour and he will not commit any
torture with her and he will appear along with the wife with the
aforesaid undertaking and in that event, the court below i.e.
learned Sub Divisional Judicial Magistrate, Saran at Chapra will
grant provisional bail to the petitioner for a period of six months



on its own satisfaction and call both the parties in the court every month and monitor the relationship between the parties and will try to restore the conjugal relationship between husband and wife and in the event, the court succeeds in restoring conjugal relationship between husband and wife and the wife does not make any complain about physical and mental torture committed by the petitioner, the court below will confirm the provisional bail of the petitioner.

It is made clear that in the event the petitioner does not surrender in the court below along with affidavit and wife, as ordered above, or during the period of monitoring the wife makes complain about physical and mental torture committed by the petitioner, it will be open to the court below to pass appropriate order in accordance with law including cancellation of provisional bail of the petitioner. The wife will also file an undertaking in the court below at the time of surrender of husband that she will live in the Sasural peacefully and will take proper care of her husband and his other family members.

(Sanjay Priya, J)

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