

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54584 of 2016

Arising Out of PS.Case No. -259 Year- 2016 Thana -BUXAR MUFFSIL District- BUXAR

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Pramod Kumar Ram, son of Ram Ekbal Ram, resident of village-Narbatpur, P.S.-Buxar(M), District-Buxar.

.... Petitioner/s

Versus

1. The State of Bihar &
2. Anju Kumari Devi, wife of Pramod Kumar Ram, village-Narbatpur, P.S.- Buxar (M), District- Bxuar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashwini Kumar Rai, Advocate
For the Opposite Party/s : Smt. Sahin Begam, APP
Mr. M. Uupadhyaya, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 12-05-2017

Heard learned counsel for the Petitioner and the

State as well as counsel for the Opposite Party No.2.

The Petitioner apprehends his arrest in Buxar (M) P.S. Case No.259 of 2016 instituted for the offence under Section(s) 341, 323, 504, 506, 498-A/34 Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

It has been submitted that the petitioner is ready to keep the wife with full dignity and care.

Counsel for the Opposite Party No.2-wife has submitted that she is also ready to live with husband.

In such circumstances, this application is disposed off with direction to petitioner to surrender before the Court below i.e. ACJM-VI, Buxar, within a period of four weeks from



today in connection with Buxar (M) P.S. Case No.259 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 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 the 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 six 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 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.

This application is, accordingly, disposed off.

(Sanjay Priya, J)

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