

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27750 of 2017

Arising Out of PS.Case No. -85 Year- 2017 Thana -ARA MUFFSIL District- BHOJPUR

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1. Ajay Singh, son of late Ram Naresh Singh, resident of village-
Bhushaulla, P.S.- Arrah, Muffassil, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sudha Devi, wife of Ajay Singh, resident of village- Bhusaulla, P.S.-
Arrah, Muffassil, District- Bhojpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Lallan Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 29-08-2017

Heard learned counsel for the petitioner and learned

APP for the State.

None appears on behalf of the Opposite Party No.2.

Petitioner apprehends his arrest in Arrah Muffasil
P.S. Case No.85 of 2017 instituted for the offence under
Section(s) 498-A Indian Penal Code.

It has been submitted that the petitioner is ready to
keep the wife-Opposite Party No.2 with full dignity and care.

In such circumstances, this application is disposed
off with direction to petitioner to surrender before the Court
below i.e. Chief Judicial Magistrate, Bhojpur, Arrah, within a
period of four weeks from today in connection with Arrah
Muffasil P.S. Case No.85 of 2017, along with Affidavit that he



will keep the wife with full dignity and care and in that event, the court below will release the petitioner on provisional bail to its own satisfaction for a period of six 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 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 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 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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