

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51264 of 2017

Arising Out of PS.Case No. -190 Year- 2013 Thana -ISLAMPUR District- NALANDA
(BIHARSHARIFF)

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Amit Kumar, Son of Sidheshwar Prasad, Resident of Village- Shekhalli,
Police Station- Islampur, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-11-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Islampur P.S.
Case No. 190 of 2013 instituted for the offence under Sections
498(A), 323,379,504/34 of the Indian Penal Code and ¾ of Dowry
Prohibition Act.

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

From the impugned order also it appears that the
petitioner is ready to keep his wife. The matter was referred to the
conciliation centre for counseling by the court below but
reconciliation has failed.

Accordingly, this application is disposed off with
direction to petitioner to surrender before the Court below i.e.



learned Additional Chief Judicial Magistrate, Hilsa, Nalanda, within a period of four weeks from today in connection with Islampur P.S. Case No. 190 of 2013, along with Affidavit that he will keep the wife with full dignity and care. In the event the Court below finds that petitioner is willing to keep his 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 issue notice to informant (wife) 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 valid 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 the petitioner refuses to keep the wife on her appearance in court or wife during the period of monitoring 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 without taking into consideration the observations made above by this Court.

(Sanjay Priya, J)

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