

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4444 of 2017

Arising Out of PS.Case No. -74 Year- 2016 Thana -MAHILA PS District-
EASTCHAMPARAN(MOTIHARI)

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1. Vinod Kumar Singh, son of Sri Gauri Shankar Singh, resident of
Madhubani Ashram, P.S.- Chiraiya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anju Devi, wife of Vinod Kumar Singh, d/o Ram Kuar Pd. Singh,
resident of Banzarha, P.S.- Gour, District- Rothat (Nepal)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate
For the Opposite Party/s : Mr. Sri Pradeep Narain Kumar, APP
Mr. Patanjali Rishi, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 06-03-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Mahila P.S.
Case No.74 of 2016 instituted for the offence under Section(s)
341, 342, 323, 379, 498-A/34 Indian Penal Code and Section 3/4
of the Dowry Prohibition Act.

Both husband and wife are present in Chambers.

From the conduct of husband and wife, it appears
that there is least chance of reconciliation between them.

However, wife has stated that she is ready to live
with the petitioner. The husband has also stated that he is ready to
keep the wife.



In such circumstances, this application is disposed off with direction to the petitioner to surrender before the Court below on 24.03.2017 in connection with Mahila P.S. Case No.74 of 2016, along with the wife-Opposite Party No.2 and Affidavit that he is ready to keep the wife with all dignity and care and make prayer for regular and in the event the Court below finds that the petitioner is ready to keep the wife and the wife is also ready to go with her husband, the court below will release the petitioner on provisional bail on its own satisfaction for a period of six months 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 or Court below finds that good conjugal relationship could not be restored on account of indifferent attitude of wife or the wife does not make any complain during the period of monitoring about the physical and mental torture committed by the petitioner, 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 the wife and Affidavit on 24.03.2017, as ordered above, or the petitioner does not become ready to keep the wife when the wife becomes ready to



live with him or during the period of monitoring 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 cancelling provisional bail of the petitioner without taking into consideration the observations made above by this Court.

It is further made clear that the on the date of surrender i.e. on 24.03.2017, wife-Opposite Party No.2 will accompany petitioner in the Court without any fail.

(Sanjay Priya, J)

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