

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6686 of 2017

Arising Out of PS.Case No. -465 Year- 2014 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Dinesh Mehta, son of Gorelal Mehta, resident of village- Amauna, P.S.
Jogbani, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sangita Devi, wife of Dinesh Mehta, resident of Gadhia Diara, P.S.- K.
Nagar, District Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Smt. Asha Devi, APP

Mr. Bijendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 13-04-2017

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 Complaint
Case No.465 of 2014 instituted for the offence under Section(s)
498-A, 494 Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

Opposite Party No.2 has appeared through her
counsel.

Petitioner is husband of the Opposite Party No.2-
complainant.

It has been submitted on behalf of the Opposite
Party No.2 that she is ready to live with husband provided he
keeps her with all dignity and care. She has two children.



Petitioner is also ready to keep the Opposite Party No.2-wife and children 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. Sub-Divisional Judicial Magistrate, Purnea, within a period of four weeks from today in connection with Complaint Case No.465 of 2014, along with wife and 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 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 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, 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 wife and Affidavit, 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 without taking into consideration the observations made above by this Court.

The application stands disposed off.

(Sanjay Priya, J)

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