

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6150 of 2017

Arising Out of PS.Case No. -15 Year- 2016 Thana -PATNA COMPLAINT CASE District- PATNA

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1. SARABJEET SINGH @ SANDEEP SINGH, S/o Sri Mohan Singh "Gandhi", R/o Mohalla- Harminder Gali, P.S.- Chouk, Patna City, District, Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Satwinder Kaur, W/o Sarabjeet Singh, D/o Late Sardar Yogender Singh "Jolly", presently R/o C/o Bhagwant Singh Bagga, Harmandir Gali, Patna City, P.S.- Chauk, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 18-04-2017

Heard learned counsel for the Petitioner and the State.

The Petitioner apprehends his arrest in Complaint Case No.15 of 2016 instituted for the offence under Section(s) 498-A, 341, 323, 504/34 Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Notice was issued to the Opposite Party No.2, but she has refused to receive notice.

Petitioner is husband of the Opposite Party No.2-complainant. It has been submitted on behalf of the petitioner that he is ready to keep the Opposite Party No.2-wife.

In such circumstances, this application is disposed



off with direction to petitioner to surrender before the Court below i.e. Sub-Divisional Judicial Magistrate, Patna City, within a period of six weeks from today in connection with Complaint Case No.15 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 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 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, 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.

The application stands disposed off.

(Sanjay Priya, J)

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