

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10628 of 2017

Arising Out of PS.Case No. -646 Year- 2016 Thana -ARA NAWADA District- BHOJPUR

- =====
1. Ravi Ram @ Ravi Kumar, son of Birendra Ram, resident of Near Sadar
Aspatal Chirai Ghar, Police Station- Ara Nagar, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar,
2. Rubi Devi, wife of Ravi Ram, daughter of Surendra Ram, resident at
mohalla Nawada, Ara, P.S.- Ara Nawada, District- Bhojpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Arun Kumar Singh -5, APP
Mr. Chandan Kumar Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 26-04-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Nawada P.S.
Case No.646 of 2016 instituted for the offence under Section(s)
498-A, 323, 504, 506/34 Indian Penal Code.

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

Counsel for the Opposite Party No.2 has stated that
she also wants to live with husband-petitioner.

As per the complaint, marriage has taken place in
May, 2014.

In such circumstances, this application is disposed



off with direction to petitioner to surrender before the Court below i.e. Chief Judicial Magistrate, Bhojhpur at Ara, within a period of four weeks from today in connection with Nawada P.S. Case No.646 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 nine 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 will 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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