

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32782 of 2017

Arising Out of PS.Case No. -22 Year- 2016 Thana -MAHILA PS District- BUXAR

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1. Binod Singh, son of Late Shyam Nand Singh, resident of Village-
Sikraul, P.S.- Sikraul Lakh, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Parwati Devi, D/o Dinesh Singh, resident of Village- Chanwat, P.S.-
Nawanagar, District- Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-10-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Mahila P.S.

Case No. 22 of 2016 instituted for the offence under Sections 341,
323, 498A/34, 504 of the Indian Penal Code and Section 3/4 of the
Dowry Prohibition Act.

It has been submitted on behalf of the petitioner that
the petitioner is ready to keep his wife and son with him with full
honour and dignity. It has further been submitted that an
undertaking to that effect has also been filed in the court below by
the petitioner. Counsel for the opposite party No. 2 has submitted
that opposite party No. 2 is always ready to live with the petitioner
if he keeps her with dignity and care.



Accordingly, this application is disposed off with direction to petitioner to surrender before the Court below i.e. Sub Divisional Judicial Magistrate, Buxar within a period of six weeks from today in connection with Mahila P.S. Case No. 22 of 2016 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.

This Cr. Misc. Application is accordingly disposed off.

(Sanjay Priya, J)

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