

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63130 of 2018

Arising Out of PS.Case No. -113 Year- 2016 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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Pintu Kumar, Son of Sri Mahesh Yadav, Resident of Village Daulatpur, P.S.
Makhdumpur (Barabar Tourism), District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mamta Devi, W/o Sri Pintu Kumar, R/o Vill- Daulatpur, P.S.
Makhdumpur, Barabar Tourims, District- Jehabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Kumar, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 12-10-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Complaint Case No.113 of**
2016 instituted for the offence under Section(s) 498-A/, 323
Indian Penal Code.

Counsel for the petitioner submits that petitioner
(husband) is ready to keep the wife with full dignity and honour.

Petitioner is in custody since 23.07.2018.

In such circumstances, this application is disposed
off with direction to petitioner to file an Affidavit in the Court
below that he will keep the wife with full dignity and honour and
in that event, the Court below i.e. **Judicial Magistrate, 1st class,**



Jehanabad, will release the petitioner on provisional bail for a period of six months in connection with **Complaint Case No.113 of 2016**, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to its own satisfaction.

The Court below will issue notice to the Opposite Party No.2, on the date of accepting bail bond within the knowledge of petitioner fixing date for her appearance, and after appearance, if Opposite Party No.2 becomes ready to go and live with petitioner, the Court below 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 has 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 service of notice, the Court below will confirm the provisional bail of the petitioner after six months.

This application is, accordingly, disposed off.

(Sanjay Priya, J)

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