

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 60981 of 2021**

Arising Out of PS. Case No.-1369 Year-2018 Thana- BHOJPUR COMPLAINT CASE
District- Bhojpur

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SURESH KUMAR KESHRI Son of Shri Ravindra Prasad Keshri, Resident of
Village - Buxar Mohalla Nehru Nagar , P.S.- Buxar, Distt.- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Indu Devi W/o Suresh Kumar Keshri , D/o Chhathu Lal Keshri Resident of
Village - Nehru Nagar, P.s.- Buxar, dist.- Buxar at Present resident of Village
- Jagdishpur Mohalla Jaga ke pipal, P.s.- Jagdishpur, Dist.- Bhojpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta, Advocate

For the Opposite Party/s : Mr.Diwakar, Advocate

Mr.Shivam Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 25-04-2023 In compliance of order dated 19.04.2023, the

S.D.P.O., Dumraon (Buxar) has produced the shop owner, where

the petitioner works on monthly salary of Rs.5,000/-.

2. The petitioner has shown his inability to live with

the Opposite Party No.2 (Indu Devi) because of the fact that he

can not fulfil her desire and can not take care of his little

daughter, as his monthly earning is only Rs.5,000/-.

3. This Court finds that the owner of the shop, where

the petitioner works, has tendered his physical appearance

before this Court along with the S.D.P.O., Dumraon (Buxar) but

it appears that the petitioner has already persuaded him not to

divulge the actual salary, which is being paid to him. The shop

is being run in clandestine manner without being registered



under Shops and Establishment Act and other statutory provisions of law. The shop is engaged in manufacturing steel boxes and almirahs. The petitioner is adamant not to support his wife (O.P.No.2) and his little child. At this stage, the O.P.No.2 informs this Court that the petitioner is having desire to open his own shop and she has no objection whether the petitioner establishes his own shop and she also intends to participate in the affairs of the shop, if a shop is opened and run by the petitioner.

4. Learned counsel appearing on behalf of the petitioner submits that some indulgence may be given to the petitioner to reconcile himself and prepare himself to live with the O.P.No.2 and the O.P.no.2 has no objection.

5. The order is being dictated in presence of the S.D.P.O., Dumraon (Buxar), who has willingly assured to participate in reconciliation of the matrimonial dispute between the parties and he will find out the ways as to how he can support in the financial stability of the petitioner, so that he can lead a happy matrimonial live. He seeks 15 days time for the process of the reconciliation between the parties. In the meantime, if both the parties start living together, the same will be reported to the court below and till the period the interim



protection (provisional bail) granted to the petitioner by order dated 07.06.2022 shall continue and if it is found that the petitioner is living a happy matrimonial life with the O.P. No.2, the report must be furnished to the court below without any delay and the court below will watch the conduct of the petitioner for one year and after being satisfied with the conduct of the petitioner and if the court below finds that no any complaint is made out by the O.P.No.2, the provisional bail of the petitioner is directed to be confirmed on such terms and conditions under Section 438(2) of the Code of Criminal Procedure and other conditions as the court below deems fit and proper.

6. This Court highly appreciates the approach and the personal steps taken by the S.D.P.O., Dumraon (Buxar), who has undertaken to do all needful for well being of the couple to reconcile the stretched matrimonial relationship between them.

7. The report of the Superintendent of Police, Buxar is kept on record.

8. Accordingly, the present petition is disposed of.

(Purnendu Singh, J)

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