

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54541 of 2022

Arising Out of PS. Case No.-922 Year-2021 Thana- PATNA COMPLAINT CASE District-
Patna

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SANISH TIWARI @ SANISH KUMAR TIWARI Son of Sri Ram Pravesh
Tiware R/v- Dhangai, P.S- Dhangai, Dist- Bhojpur (Ara), At present R/o Vijay
Vihar Colony Danapur, P.S- Danapur, Narayan Sri Apartment, Danapur, Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sindhu Devi Wife of Sanish Tiwari, D/o Kamal Wash Ray At present Balaji
Nagar, Back to Hi-tech Hospital , P.S- Danapur, Dist- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr. Rajesh Kumar, Advocate
For the Opposite Party/s :	Mrs. Indu Kumari Srivastava, A.P.P.
	Mr. Ravi Ranjan Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

6 24-04-2023 Heard Mr. Rajesh Kumar, learned counsel appearing

on behalf of the petitioner, Mr. Ravi Ranjan Kumar, learned
counsel appearing on behalf of the informant and Mrs. Indu
Kumari Srivastava, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 922 (c) of 2021 in which cognizance
has been taken under Section 498A of the Indian Penal Code.

3. Mr. Rajesh Kumar, learned counsel appearing on
behalf of the petitioner submitted that the petitioner is ready to
keep his wife with full dignity and honour and to that effect he
has made specific statement in Para-8 of the bail application.



4. Learned counsel appearing on behalf of the opposite party no. 2 informs this Court that the opposite party no. 2 is also ready to live along with the petitioner.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner.

6. Considering the fact that the matter relates to matrimonial dispute between the husband and the wife and the petitioner has agreed to live along with his wife and he has undertaken to provide opposite party no. 2 all physical and economical need. In the interest of couple, it would be proper that the petitioner be directed to approach his wife for leading a happy matrimonial life.

6. The Superintendent of Police, Patna is directed to depute a female police officer not below the rank of the Dy. S.P. to hold a meeting with the husband and wife within two weeks and if the couple are ready to live together without any complaint, such report must be furnished before the Judicial Magistrate 1st Class, Danapur, who will grant provisional bail to the petitioner and thereafter he is required to see the conduct of the either parties for a period of one year and should also strive to reconcile the matrimonial dispute between the husband and the wife and if he finds that no complaint is made by the either



parties during the aforesaid period, the provisional bail granted to the petitioner must be made absolute on such terms and conditions as the court below may deem it fit and proper on the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. Accordingly, the present bail application is disposed of.

(Purnendu Singh, J)

Niraj/Sanjeev

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