

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64040 of 2022

Arising Out of PS. Case No.-30 Year-2022 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Md. Salamat @ Salamat, aged about 28 years, male, Son Of Md. Ishamul,
R/O Vill.- Manjhaul Pubari Tola, P.S.- Cheriya Bariyarpur, Distt.- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. Juhi Praveen, aged about 22 years, female, Wife Of Md. Salamat R/O Vill.-
Manjhaul, Pubari Tola, P.S.- Cheriya Bariyarpur, Distt.- Begusarai, Presently
Residing At D/O.- Md. Ibrahim, Vill.- Bhawanandpur, Ward No. 13, P.S.-
Birpur, Distt.- Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ram Sumiran Rai, Advocate
For the O.P. No. 2	:	Mr. Manoj Kumar, Advocate
For the State	:	Mr. Ashok Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 05-05-2023 Heard Mr. Ram Sumiran Rai, learned counsel

appearing on behalf of the petitioner, Mr. Manoj Kumar, learned

counsel appearing on behalf of the opposite party no.2 and Mr.

Ashok Kumar Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 30 (C) of 2022 dated 06.01.2022
registered for the offence punishable under Sections 498-A, 379,
504, 506 read with Section 34 of the Indian Penal Code.

3. Considering the statement made in paragraph no.
10 of the bail application which inter alia is reproduced
hereinafter:



“10. That from the perusal of complaint petition it appears that the petitioner is the husband of the complainant (Opposite party no. 2) and he always ready to keep her with full dignity and honour but she not ready to live with the petitioner and she always gave pressure to the petitioner for live at her matrimonial left after his father and mother.”

4. Mr. Manoj Kumar, learned counsel appearing on behalf of the opposite party no. 2 has informed this Court that opposite party no. 2 is ready to live along with the petitioner if the petitioner fulfills her physical as well as financial requirement and keeps her with full dignity and honour with him. He further informed that the couple have a girl child, who also requires love and affection of father.

5. Considering the aforesaid fact, interim protection granted to the petitioner vide order dated 04.02.2023 is extended for further period of four weeks during which period, the petitioner will approach opposite party no. 2 and take her along with him and live together at the place of residence or his workplace and must abide by the undertaking given in paragraph no. 10 of the bail application.

6. In case, opposite party no. 2 still finds that petitioner is not desirous of living along with her, in that case, she may approach the Superintendent of Police concerned, who



will ensure all protection to opposite party no. 2 and will try to reconcile the strained matrimonial relationship between the parties within the aforesaid period and submit a report before the Court below within a further period of two weeks.

7. The Court below after accepting a joint affidavit of the parties shall release the petitioner on provisional bail and thereafter, is required to proceed with reconciliation proceeding which, admittedly, has failed between the parties on earlier occasion.

8. If the opposite party no. 2 is not subjected to any torture or illegal act by the petitioner for a period of at least one year, in that case, the provisional bail granted to the petitioner shall be made absolute on such terms and conditions as fixed by the Court below and the conditions as laid down under Section 438(2) Cr.P.C.

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

(Purnendu Singh, J)

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