

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38462 of 2015

Arising Out of PS.Case No. -111 Year- 2015 Thana -SOHSARAI District- NALANDA
(BIHARSHARIFF)

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Sunny Kumar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Prasad

For the Opposite Party/s : Mr. Md.Sufiyan (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A of the Indian Penal Code.

The basic accusation is of torture. The factum of marriage between the petitioner and the informant is admitted.

It is submitted by learned counsel for the petitioner that the informant herself deserted the petitioner within few months of the marriage but the petitioner is still ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 8 of the petition which reads as follows:-

“That the petitioner is ready to keep the informant.”

Considering the present stand of the petitioner, let the

above named petitioner be released on provisional anticipatory bail for one year in the event of arrest or surrender before the

learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Bihar Sharif, Nalanda in connection with Sohsarai P.S. Case No. 111 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant for her appearance. On her appearance, the petitioner will take the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the informant fails to appear before the learned court below or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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