

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9231 of 2015

Arising Out of PS.Case No. -27 Year- 2014 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

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1. Sukhdeo Ram @ Sudama Ram son of Late Ramchandra Ram resident of village- Shivganj Dakhana P.S. Dehri Town Distt. Rohtas. A/P Sector 9/A Quarter No. 295T Street No. 2 Bokaro Steel City/Jharkhand

.... Petitioner/s

Versus

1. The State of Bihar
2. Shivkumari Devi w/o Sukhdeo Ram, resident of village- Shivganj, P.S. Dehari, Distt. Rohtas (Bihar)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari
For the Opposite Party/s : Mr. S.N.Shukla(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 30-03-2015 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 and 420 of the Indian Penal Code.

The basic accusation is of torture.

The marriage between the petitioner and the informant and birth of three children are admitted facts. The petitioner is ready to keep the informant and children with due dignity and honour and provide basic amenities including resources for marriage of unmarried daughter.

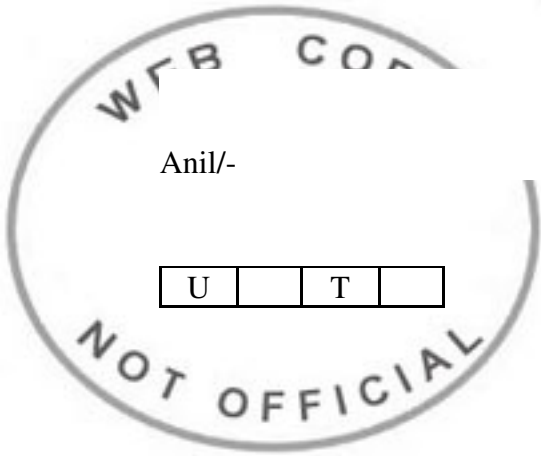
The informant and the children are presently residing in joint family house at Dehri though the petitioner is more inclined to take the informant and children to village home but the informant submits that her children are studying at Dehri, hence, it is expected from the petitioner to maintain his wife and children at Dehri. However, the petitioner is not precluded from taking his wife and children to village home as and when required.

The petitioner is ready to take the informant and children to Dehri house from the court itself.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Rohtas, Sasaram in connection with Mahila P.S. Case No. 27 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if matrimonial harmony gets obstructed due to laches on the part of

the informant.



Anil/-

(Dinesh Kumar Singh, J)