

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13220 of 2015

Arising Out of PS.Case No. -16 Year- 2014 Thana -MAHILA P.S. District- NAWADA

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1. Bhushan Chauhan son of Baudhu, Resident of village- Baraiya Bigha,
P.S.- Pakaribarwa, District- Nawadah

.... Petitioner/s

Versus

1. The State of Bihar
2. Lakshminiya Devi, Wife of Bhushan Chauhan, D/O Late Kishori
Chauhan, Resident of village- Baraiya Bigha, P.S.- Pakaribarwa, District-
Nawadah presently residing at village- Daldalha, P.S.- Nawada, Kadirganj
O/P, District- Nawada

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr. M.Haque(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 31-03-2015 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner being the husband of the informant
is apprehending his arrest in a case registered for the offences
punishable under Sections 323, 504, 307, 376, 498A, 328 of
the Indian Penal Code.

The basic accusation is of torture. Though it is
alleged that the petitioner tried to administer poison mixed in
the milk to the informant

It is submitted by the learned counsel for the
petitioner that there is nothing on record to substantiate the
such accusation and accusation under Section 376 of the
Indian Penal Code is not specific. It is further submitted that
the petitioner is ready to keep the informant as wife with full
dignity and honour. Statement to that effect has been made in

para- 8 of the petition.

Learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner.

Both the petitioner and informant agree to appear before the learned court below on 20th of April, 2015 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nawada (Mahila) P.S. Case No. 16 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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