

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14563 of 2015

Arising Out of PS.Case No. -127 Year- 2014 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

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1. Vijay Mahto @ Vijay Kumar Mahto son of Jagarnath Mahto, r/o village-
Basuham, P.S.- Bahera, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar
2. Savita Devi W/o Vijay Mahto R/o Vill. Basuham, P.S. Bahera, presently
Resident of Savita Devi D/o Ramsundar Mahto, village- Baigni, P.S.
Bahera, Distt. Darbhanga

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha, Advocate

For the Opposite Party/s : Mr. R.S.Choudhary (App)

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

2 12-05-2015 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 323 of the Indian Penal Code.

The basic accusation is of torture.

On instruction it is submitted by the learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour.

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

Both the petitioner and complainant appear before the learned court below on 4th of June, 2015 when the petitioner will take the complainant 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 Additional Chief Judicial Magistrate, Benipur, Darbhanga in connection with Complaint Case No. 127 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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