

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9731 of 2015

Arising Out of PS.Case No. -168 Year- 2014 Thana -MANJHI District- SARAN

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1. Jahid Hussain @ Jhahid Hussain Son of Taj Hussain R/o Village
Ramgarh, P.O. Gangapur, P.S. Haldi Pargana District Balia (U.P.)

.... Petitioner/s

Versus

1. The State of Bihar
2. Nikhat Anjum Wife of Jahid Hussain, D/o Asgar Ali R/o Village
Dumari, P.S. Manjhi, District Saran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Shakir Ahmad(App)

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

2 21-04-2015 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 under
Sections 498A/34 of the Indian Penal Code.

The basic accusation is of torture.

On instructions, it is submitted that the petitioner is
ready to keep the informant as wife with full dignity and honour.
Statement to the aforesaid effect has been made in paragraph
no.13 of the petition which reads as follows:

“That inspite of that the petitioner wants to keep her
wife/O.P. No.2 with full dignity and proper honour

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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Saran at Chapra in connection with Manjhi P.S. Case No. 168 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant and 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 the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the informant fails to appear before the learned court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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