

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19881 of 2015

Arising Out of PS.Case No. -376 Year- 2014 Thana -BAHERA District- DARBHANGA

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1. Jagdip Sahni Son of Dhaneshwar Sahni, Resident of village- Jayantipur
Dath, P.S.- Bahera, District- Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nand Gopal Mishra, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 29-04-2015 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 punishable under Sections 498A and 379/34 of the Indian Penal Code.

The accusation is of torture.

On instruction, learned counsel for the petitioner submits that the petitioner is ready to keep the informant as wife with full dignity and honour but she is not ready. Similar was the situation before the learned court below as is evident from the impugned order.

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 ACJM, Benipur, Darbhanga in connection with Bahera P.S. Case No.376 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 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)

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