

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23714 of 2015

Arising Out of PS.Case No. -428 Year- 2014 Thana -AGAMKUAN District- PATNA

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1. Gulshan Kumar S/o Sri Shailendra Prasad Resident of Village / Mohalla Dhanawan, P.S. Barh, District Patna and presently residing at Mohalla Transport Nagar, P.S. Agamkuan, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Soni Devi W/o Gulshan Kumar Residing at Mohalla Transport Nagar, P.S. Agamkuan, District Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Chandra
For the Opposite Party/s : Mr. Dr. Ajeet Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-07-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered under Section 498A 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. 10 of the petition the relevant portion of which reads as follows:

“That it is stated that the petitioner is ready to keep the informant with full dignity

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 ACJM Patnacity in connection with Agamkuan P.S. Case no. 428 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)

Anil/-

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