

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36430 of 2014

Arising Out of PS.Case No. -213 Year- 2013 Thana -COMPLAINT CASE District- SUPAUL

1. Abodh Chandra Jha S/O Late Vishwanath Jha
2. Hira Devi W/o Abodh Chandra Jha
3. Bhavesh Kumar Jha @ Bhavesh Kumar son of Abodh Chandra Jha, All
are resident of Shivpuri Nagar Parisad Ward no. 14, Saharsa, P.S. and
District- Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.36733 of 2014

Arising Out of PS.Case No. -213 Year- 2013 Thana -COMPLAINT CASE District- SUPAUL

Chandan Kumar Jha Son of Abodh Chandra Jha resident of shiv Puri Nagar
Parisad Ward no.-14 Saharsa, P.S. and District- Saharsa.

.... Petitioner/s

Versus

1.State of Bihar
2. Jaimala Devi w/o Chandan Kumar Jha at present resident of Jagatpur,
P.S. Supaul, District- Supaul.

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.36430 of 2014)

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Arun Kr. Panday (App)

(In Cr.Misc. No.36733 of 2014)

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Renuka Ratnakar (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 13-02-2015

Heard learned counsel for the petitioners and the State.

The petitioner in Cr. Misc. no.36733 of 2014 being the
husband of the complainant and petitioners in Cr. Misc. No.36430/2014
being the parents and brother of the complainant are apprehending their

arrest in Complaint Case process has been directed to be issued after cognizance being taken for the offence punishable under Section 498(A) IPC.

The basic accusation is of torture.

Learned counsel for the petitioner (Chandan Kumar Jha) submits that the petitioner is ready to keep the complainant as wife with full dignity and honour. Staement to that effect has been made in para 14 of the petition. Learned counsel for the complainant accepts the offer. Both the complaint and the petitioner agree to appear before the learned court below on 2nd March, 2015. when the petitioner will take the compliant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let petitioner (Chandan Kumar Jha),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 S.D.J.M., Supaul, in Complaint Case No., 213 C/13, subject to the conditions as laid down u/s 438(2) Cr.P.C.

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 complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

Considering the stand of the husband of the complainant, let the above named petitioners of Cr. Misc. No.36430/2014 be released on anticipatory bail, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Supaul, in connection with Complaint Case No. 213C/2013, subject to the conditions as laid down u/s 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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