

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32262 of 2015

Arising Out of PS.Case No. -3274 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

=====

1. Mithilesh Bhagat @ Mithlesh Bhagat S/o Late Ram Babu Bhagat
Resident of Village Paharpur Purvi, P.S. Jurawanpur, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rubiya Devi W/o Mithilesh Bhagat and D/o Sri Shivchadra Bhagat
Resident of Village Haiwatpur Bakri, P.O. Chandrapura, P.S. Raghapur,
District Vaishali.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha

For the Opposite Party/s : Mr. Ajay Kr.Jha(App)

=====

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

2 07-08-2015 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

The petitioner admits marriage with the complainant. On instructions, it is submitted that the petitioner is ready to keep the complainant as wife with full

dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 8 of the petition, the relevant portion of which reads as follows:

“That it is submitted here that the petitioner is always ready to keep his wife with his children.....”

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 Vaishali at Hajipur in connection with Complaint Case No. 3274 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 complainant and on her appearance the petitioner will take the complainant 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 complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Anil/-

U		T	
---	--	---	--