

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32198 of 2015

Arising Out of PS.Case No. -42 Year- 2014 Thana -MAHILA P.S. District- SITAMARHI

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1. Laxmi Rai S/o Bharat Rai Resident of Village Indarawa, P.S. Sonbarsa,
District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Nirmala Devi W/o Lakshmi Rai Resident of Village Indarawa, P.S.
Sonbarsa, District Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-08-2015

Petitioner being husband of the informant is

apprehending his arrest in a case registered for the offences
punishable under Sections 323, 341, 354, 498A, 504, 34 of the
Indian Penal Code.

The accusations are of torture, making
assault and outraging the modesty by the family members of
the petitioner.

On instructions, it is submitted by learned
counsel for the petitioner that petitioner is ready to keep the
informant as wife with full dignity and honour. A statement to
that effect has been made in para 7 of the petition which reads
as follows:-

“That the petitioner is the
husband of the informant and always ready to keep her
with all respect and dignity.....”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi Mahila P.S. Case No. 42 of 2014.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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