

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34143 of 2015

Arising Out of PS.Case No. -89 Year- 2015 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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Navratna Kumar Jha Son of Late Birendra Mohan Jha resident of village -
Koilakh, P.S. Rajnagar, District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt Rani Kumari @ Rani Jha Devi Wife of Nav Ratan Kumar Jha
resident of village - Koilakh, P.S. Rajnagar, District - Madhubani
Present Address Daughter of Chandra Kant Jha resident of village -
Dhanga Pachhawaritola, P.S. Arer, District - Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binodanand Mishra

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary(App)

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

ORAL ORDER

03/ 21-09-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case wherein
process has been directed to be issued after cognizance being
taken for the offences punishable under Section 498A of the
Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the
petitioner that the petitioner admits his marriage with the
complainant and birth of two children and is ready to keep them



with full dignity and honour. Statement to that effect has been made in paragraph 11 of the petition, which reads as follows:-
“That it is stated and submitted here that the petitioner is ready to keep his wife with full respect and dignity.” The petitioner earlier filed Matrimonial Suit No. 363 of 2013 for restitution of conjugal life which ended into compromise, but thereafter again the differences cropped in and hence, petitioner filed Matrimonial Suit No. 165 of 2015 for restitution of conjugal life.

It is submitted by learned counsel for the complainant that the complainant is ready to accept the offer of the petitioner but she is apprehensive due to the past conduct of the petitioner.

It is submitted by learned counsel for the petitioner that petitioner will make all effort to keep the complainant and children with dignity and honour.

Both sides agree to appear before the learned court below on 30th of October, 2015 when the petitioner will take the complainant and children to keep them with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory

bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Madhubani in connection with Complaint Case No. 89 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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