

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38077 of 2015

Arising Out of PS.Case No. -270 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Priya Ranjan Jha @ Pappu Jha son of Sri Binod Kumar Jha, resident of village- Kaligaon, P.S.- Singhwara, District- Darbhanga presently residing at J-201, Sonam Krishna Co-operative Housing Society, Phase No.- 10, New Golden Nest, Meera Bhayandar Road, Bhayandar (East), Mumbai (Maharashtra), PIN- 400105

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Kavita Jha Wife of Priya Ranjan Jha @ Pappu Jha, daughter of Sri Ram Kumar Jha, Resident of village- Kharka, P.S. Nanpur, District- Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Sinha

For the Opposite Party/s : Mr. Surendra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-08-2015 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.

On instruction it is submitted that the petitioner admits his marriage with the complainant in 2009. It is further submitted that the complainant used to desert the petitioner at his place of employment at Mumbai. Still 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. 10 of the petition the relevant portion of which reads as follows:

“That the petitioner is still ready to keep the complainant”

It is further submitted that similar was the stand of the petitioner before the learned court below.

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 SDJM Pupri, Sitamarhi in connection with Complaint Case No. C.1/270/2013 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.



Anil/-

(Dinesh Kumar Singh, J)

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