

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39393 of 2015

Arising Out of PS.Case No. -80 Year- 2014 Thana -RAUTARA District- KATIHAR

Abdul Matin S/o Latif @ Abdul Latif Resident of Village- Hawza ghat,
Pokhar Tola, P.S.- Routara District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rehana Khatoon D/o Abdul Matin presently resident of village- Hawza ghat, Pokhar Tola, P.S. Routara, District- Katihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh

For the Opposite Party/s : Mr. Rita Verma(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 27-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Section 323, 307, 384, 420 and 498A/34 of the Indian Penal Code.

The basic accusation is of torture and making attempt to poison the informant.

It is submitted by learned counsel for the

petitioner that the petitioner has Matrimonial Case No. 76 of 2014 for restitution of conjugal rites at earlier point of time and is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 9 of the petition, which reads as follows:- **“That the petitioner is husband of the and he is ready to keep her with full dignity and respect.”**

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 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 Chief Judicial Magistrate, Katihar in connection with Routara P.S. Case No. 80 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant on her appearance the petitioner will take the informant to keep her as wife with full dignity and honour.

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 informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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