

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53765 of 2015

Arising Out of PS.Case No. -108 Year- 2015 Thana -BABUBARHI District- MADHUBANI

VISHWANATH MISHRA @ HIRA MISHRA @ BISHWANATH
MISHRA Son of Late Bujhawan Mishra, Resident of Village - Pirhi, P.S. -
Babubarhi, District - Madhubani.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 26-11-2015

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 Sections 341, 323, 120B and 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 informant and is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 11 of the petition, which reads as follows:-

“That in any view of the matter the petitioner is still ready to keep the informant if she came and

reside with the petitioner.”

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 Judicial Magistrate, Ist Class, Madhubani in connection with Babubarhi P.S. Case No. 108 of 2015, 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)

DKS/-

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