

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56259 of 2015

Arising Out of PS.Case No. -93 Year- 2014 Thana -GHOGHARDIHA District- MADHUBANI

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1. Ram Adhin Mukhiya, Son of Raudi Mukhiya, Resident of Village-
Kupaha, P.S.- Ghoghardiha, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. Kiran Devi Wife of Ram Adhin Mukhiya, Resident of Village- Kupaha,
P.S.- Ghoghardiha, District- Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Manish Kumar 2 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 11-12-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered under Sections 341,323,504 and 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 informant and is ready to keep the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 9 of the petition which reads as follows:

“That the petitioner is ready to keep his wife with dignity and Honour.”

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 Madhubani in connection with Ghoghardiha P.S. Case No. 93 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant and 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 by the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the informant fails to appear before the learned court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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