

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13392 of 2015

Arising Out of PS.Case No. -17 Year- 2014 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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1. Kundan Jee Son of late Braj Kishore Jha Resident of Village - Bakhari
Dao, P.S. Goraul, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha

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

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

ORAL ORDER

2 01-04-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences under Sections 341,323,379 and 498A/34 of the Indian Penal Code.

The basic accusation is of torture.

On instructions, it is submitted that the petitioner is ready to keep the informant as wife with full dignity and honour and has also filed case for restitution of conjugal rights.

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 CJM Vaishali at Hajipur in connection with Hajipur (Sadar) P.S. Case No. 17 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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