

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13895 of 2015

Arising Out of PS.Case No. -128 Year- 2014 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

=====

Dharmendra Kumar Rai Son of Devendra Rai,

.... Petitioner/s

Versus

1. The State of Bihar
2. Rekha Kumari wife of Dharmendra Rai

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Niraj Kumar, Advocate

For the Opposite Party/s : Mr. Md. Sufiyan(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-04-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 341, 323, 325, 354A, 498A/34 of the Indian Penal Code.

The basic accusation is of assault and torture to the informant.

On instruction, learned counsel for the petitioner submits that the petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 11 of the petition which reads as follows:-

"11. that the petitioner is ready to keep her wife complainant/informant with full honour and dignity."

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Bidupur P.S. Case No.128 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 complainant for her appearance. 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 learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

.

(Dinesh Kumar Singh, J)

Ashwini/-

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