

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36127 of 2014

Arising Out of PS.Case No. -582 Year- 2013 Thana -DANAPUR District- PATNA

Vivek Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary

For the Opposite Party/s : Mr. Asha Devi(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 04-08-2015

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 punishable under Sections 498A, 307 and 379/34 of the Indian Penal Code.

The accusation is of torture and making attempt to cause burnt injury to the informant.

On instruction, learned counsel for the petitioner submits that the petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 7 of the petition which reads as follows:-

“That the petitioner is ready to keep the informant/his wife with maintaining her with dignity and love and affection and will give her all facilities according to his capacity.”

It is submitted by learned counsel for the informant that the informant is ready to accept the offer of the petitioner but earlier Complaint Case No. 678C of 2012 has also been filed with similar accusation when the petitioner reconciled the issue but when the informant went to matrimonial house she was against being tortured leading to filing of the present case.

Both sides agree to appear before the learned court below on 18th of August, 2015 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 Addl. Chief Judicial Magistrate, Danapur in connection with Danapur P.S. Case No. 582 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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 informant fails to appear before the learned court below or (iii) if the informant gets

reluctant to reconcile the issue.

Amrendra/-

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(Dinesh Kumar Singh, J)

