

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44729 of 2014

Arising Out of PS.Case No. -843 Year- 2013 Thana -MADHUBANI COMPLAINT CASE District-
SUPAUL

=====

Bhavesh Kumar Jha @ Bhavesh Jha son of Late Vishambhar Jha resident of
village - Brahampur, P.S. - Phulparas, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Gita Jha, D/o Shubhankar Choudhary, Resident of village – Arajijagat,
P.S. Benipatti, District – Madhubani.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rana Bhupendra Narayan Singh

For the Opposite Party/s : Mr. Nazir Ansari(App)

=====

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

ORAL ORDER

03/ 03-04-2015

Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 379, 498A and 504 of the Indian Penal Code.

The basic accusation is of torture.

Notices were issued to the complainant-opposite party no. 2 vide order dated 17.12.2014 on submission of learned counsel for the petitioner that the petitioner is ready to keep the

complainant as wife with full dignity and honour. Statement to that effect has been made in para 7 of the petition, which reads as follows:- **“That the petitioner is still desire to keep her wife (complainant) with him with all the honour and dignity.”**

The marriage between the petitioner and the complainant and birth of a child are admitted facts.

Counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 27th of April, 2015 when the petitioner will take the complainant along with child to keep them 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 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 Chief Judicial Magistrate, Madhubani in connection with C.R. Case No. 843 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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 complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

DKS/-

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