

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25852 of 2015

Arising Out of PS.Case No. -9 Year- 2015 Thana -UCHAKAGAON District- GOPALGANJ

Raju Kumar @ Amit Kumar @ Amit Sah son of Shri Ramakant Sah

.... Petitioner/s

Versus

1. The State of Bihar
2. Smita Devi W/o Raju Kumar @ Amit Kumar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Kant Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh 1 (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-07-2015 Heard learned counsels for the petitioner, informant 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, 406, 34 of the Indian Penal Code.

The basic accusation is of torture.

The marriage between the petitioner and the informant is admitted fact.

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 10 of the petition which reads as follows:-

"10. That the petitioner is ready to keep her wife

(informant)."

Learned counsel for the informant submits that the informant accepts the offer of the petitioner.

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 Judicial Magistrate, 1st Class, Gopalganj in connection with Uchkagaon P.S. Case No.9 of 2015, 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.

(Dinesh Kumar Singh, J)

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