

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29345 of 2015

Arising Out of PS.Case No. -354 Year- 2014 Thana -LAKHISARAI District- LAKHISARAI

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1. Rajnish Kumar S/o Ramanand Singh @ Ramnandan Singh Resident of Village Khakhari, P.S. Kashichak, District Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nishu Kumari D/o Sri Umesh Singh Resident of Village Dakra, P.S. Ramgarh Chowk, District Lakhisarai.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bharat Lal

For the Opposite Party/s : Mr. Nawal Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-07-2015 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 341,323,504,506,498A and 379 of the Indian Penal Code.

The basic accusation is of torture.

The petitioner admits his marriage with the informant. On instructions, it is submitted that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 10 of the petition which reads as follows:

“That the petitioner is still ready to keep and maintain her with fully honour and prestige if the informant is ready to live

in her matrimonial house with 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Lakhisarai in connection with Lakhisarai (Ramgarh Chowk) P.S. Case No. 354 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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