

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31052 of 2015

Arising Out of PS.Case No. -60 Year- 2014 Thana -MAHILA P.S. District- MADHUBANI

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Umesh Kumar Mehta, son of Late Nand Lal Mehta, resident of Village Pachahar, Police Station-Jai Nagar, District-Madhubani

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Surendra Pd.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-08-2015

Petitioner being husband of the informant is

apprehending his arrest in a case registered for the offences punishable under Sections 323, 379, 406, 498(A) of the Indian Penal Code.

The basic accusation is of torture.

On instructions, it is submitted by learned counsel for the petitioner that petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 5 of the petition which reads as follows:-

“That petitioner is husband of the informant and he is ready to keep her with all love and dignity”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12

weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Madhubani in connection with Madhubani Mahila P.S. Case No. 60 of 2014, G.R. No. 2187 of 2014.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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