

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39776 of 2015

Arising Out of PS.Case No. -38 Year- 2015 Thana -PATEPUR District- VAISHALI(HAJIPUR)

Ajit Mishra @ Ajit Kumar Mishra, son of Late Ram Shankar Mishra,
resident of Village- Bazitpur, P.S.- Patepur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar
2. Mamta Devi, wife of Ajit Mishra @ Ajit Kumar Mishra, daughter of
Devendra Pandey resident of Village- Kasuiya Bajitpur, Police Station-
Patepur, District- Vaishali, Presently residing at Village- Jahangirpur
Salkanni, P.S.- Mahua, District- Vaishali.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Mr. Vinod Shankar Modi (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 27-08-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Section 148, 323, 379, 354B, 498A and
504 of the Indian Penal Code.

The basic accusation against the petitioner is of
torture.



It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 11 of the petition, which reads as follows:- **“That it is submitted here that the petitioner is ready to keep the informant with honour and dignity.”**

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 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 Sub-divisional Judicial Magistrate, Vaishali at Hajipur in connection with Patepur P.S. Case No. 38 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant 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 within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial

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

(Dinesh Kumar Singh, J)

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