

Arising Out of PS.Case No. -7 Year- 2014 Thana -MAHILA PS District- AURANGABAD

..... Petitioner/s

1. The State of Bihar
2. Hasina Khatoon D/o Late Md. Hanif resident of village - Pokhraha,
P.S. Kasma, District - Aurangabad

.... Opposite Party/s

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Rajendra Pd. Nat(App)

03/ 06-04-2015

Heard learned counsels for the petitioner and the

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 342, 323, 379/34 of the Indian Penal Code and 27A of the Arms Act.

The basic accusation is of torture.

Notices were issued to the informant-opposite party no. 2 vide order dated 05.01.2015 on submission of learned

counsel for the petitioner that the petitioner is ready to keep the informant as wife with full dignity and honour and similar was the stand before the learned court below which was not accepted by the informant.. Statement to that effect has been made in para 8 of the petition, which reads as follows:- **“That the petitioner is still ready to keep the informant with full dignity and honour.”**

The marriage between the petitioner and the complainant having no issue is admitted fact.

The petitioner and the informant are present. Both sides agree to appear before the learned court below on 27th of April, 2015 when the petitioner will take the informant to keep her as wife 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 Sub-divisional Judicial Magistrate, Aurangabad in connection with Mahila P.S. Case No. 07 of 2014, 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 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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