

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10895 of 2015

Arising Out of PS.Case No. -75 Year- 2014 Thana -MAHILA P.S. District- MADHUBANI

1. Pankaj Kumar Choubey son of Rama Nand Choubey, resident of village Bhairo Khara, P.S. Tajpur District Samastipur. At present Kotwali Chowk, near the house of Suman Mahaseth Ward No. 26, P.S. and District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Kajal Choubey Kotwali Chowk, near the house of Suman Mahaseth Ward No. 26, P.S. and District- Madhubani

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Ashok Kr.Singh No.1(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-04-2015 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 341,323,498A,504,307 and 506 of the Indian Penal Code.

The basic accusation is of torture. It is also alleged that the petitioner gave threatening to the informant.

On instructions, it is submitted that the petitioner is still ready to keep the informant as wife with full dignity

and honour. Statement to the aforesaid effect has been made in paragraph no. 9 of the petition which reads as follows:

“That petitioner is ready to keep the informant will all respect.”

It is further submitted that there is no injury report on record.

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 SDJM Madhubani in connection with Madhubani Mahila P.S. Case No. 75 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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