

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.21267 of 2015**

Arising Out of PS.Case No. -199 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-  
GOPALGANJ

=====

Jai Prakash Ram

.... .... Petitioner/s

Versus

State of Bihar & Anr

.... .... Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Gulnar Begum (App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2 15-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A and 406 of the Indian Penal Code.

The basic accusation is of torture. The factum of marriage between the petitioner and the complainant and birth of a female child are admitted facts.

On instruction, learned counsel for the petitioner submits that the petitioner is ready to keep the complainant with her child as wife with full dignity and honour. A statement to that effect has been made in para 12 of the petition which reads as follows:-

*“That, however the petitioner is very much concerned*

*about well being of her wife/complainant along with female child born to her and ready to keep her with dignity and honour.”*

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Gopalganj in connection with C-Case No. 199 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 complainant for her appearance. On her appearance, the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

**(Dinesh Kumar Singh, J)**

Amrendra/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|