

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19908 of 2015

Arising Out of PS.Case No. -164 Year- 2014 Thana -RUPASPUR District- PATNA

1. Ritesh son of Late Ram Sagar Mahto Branch Manager, Bank of Baroda, Dadar Branch, District - Kaimur, at present residing at C/o Sushil Kumar Singh, G.T. Road, Mohania, Bhabhua, Kaimur, Resident of C/o Umesh Kumar, Mohalla - Abhiyanta Nagar, P.S. - Rupaspur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smita Patil Wife of Ritesh and Daughter of Sri Sachidanand Pd. Singh Resident of Mohalla - Abhiyanta Nagar, P.S. - Rupaspur, District - Patna, present residing at mohalla - Kachahari Road, District - Khagaria.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate

For the Opposite Party/s : Mr. Shardanand Jha(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-04-2015 Heard learned counsel 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 Sections 498A/34 of the Indian Penal Code.

The basic accusation is of torture.

On instruction it is submitted by learned counsel for the petitioner that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para- 7 of the petition.

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 Judicial Magistrate, Ist Class, Danapur, Patna in connection with Rupaspur P.S. Case No. 164 of 2014, 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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