

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36734 of 2015

Arising Out of PS.Case No. -215 Year- 2015 Thana -DUMRAUN District- BUXAR

Ramashankar Rai Son of Late Saryu Rai

.... Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi W/o Ramashankar Rai

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. R.S.Choudhary(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 27-08-2015

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 punishable under Sections 323, 341, 342, 498A, 504, 506 of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner that petitioner has been roped in the present case after 20 years of marriage and for a petty dispute the accusation has been levelled. However, the petitioner is still ready to keep the informant and the children born out of the wedlock with dignity and honour. A statement to that effect has been made in paragraph 7 of the petition which reads as follows :-

"7. That the petitioner undertakes to keep his wife and

his children with full respect dignity.."

Learned counsel for the petitioner further submits that the informant is still residing with the petitioner.

Considering the present stand of the petitioner, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Dumraon P.S. Case No.215 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Grant of bail will not preclude the informant to file an application before the learned court below for cancellation of bail bond of the petitioner if the petitioner fails to keep the informant and the children born out of the wedlock with dignity and honour.

(Dinesh Kumar Singh, J)

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