

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41975 of 2014

Arising Out of PS.Case No. -12 Year- 2014 Thana -MAHILA P.S. District- SITAMARHI

Birendra Kumar

.... Petitioner

Versus

1. The State of Bihar.
2. Anupama Kumari.

.... Opposite Parties.

Appearance :

For the Petitioner : Mr. Devendra Kumar, Advocate.
For the State : Mr. A.M.P.Mehta(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-02-2015 Heard the learned counsels for the
petitioner, informant and learned A.P.P. for the
State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 498(A), 494 and 504/34 of the Indian Penal Code.

The accusations are of torture and performing second marriage.

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, a statement to that effect has been made in paragraph no. 12 of the petition which reads as follows:-

"12. That the petitioner is still ready to keep and maintain his wife with full dignity and respect".

Learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 23.03.2015 when the petitioner will take back the informant to keep her as wife with full dignity and honour.

Considering the stand of the parties, let the petitioner, above named, 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 in connection with Sitamarhi Mahila P.S. Case No. 12 of 2014 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities i.e., (i) if the matrimonial harmony is substantially restored within one year (ii) or the informant fails to appear before the learned

court below (iii) or she gets reluctant to reconcile the issue.

U.K./-

(Dinesh Kumar Singh, J)

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