

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9138 of 2016

Arising Out of PS.Case No. -19 Year- 2013 Thana -SARAI RANJAN District- SAMASTIPUR

1. Rajesh Kumar @ Guddu Lal, Son of Sita Ram Lal, Resident of Village-Haripur Barhetta, P.S.- Sarairanjan, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Anita Devi, Wife of Rajesh Kumar @ Guddu Lal, Resident of Village-Haripur Barhetta, P.S. Sarairanjan, District- Samastipur, at present Daughter of Sri Bhagirath Prasad, Resident of Village & P.S.- Mokama, District- Patna.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dilip Kumar Roy

For the Opposite Party/s : Mr. Renuka Ratnakar (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 26-07-2016 The petitioner being 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.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 3 of the supplementary affidavit which reads as follows:-

“That the petitioner is still
ready to keep the complainant(opposite party no. 2)

as wife with full dignity and honour and he will always obey the Hon'ble Court's order and directions imposed by this Hon'ble Court."

The petitioner and the informant are present in the Court.

It is submitted by learned counsel for the informant that informant is ready to accept the offer of the petitioner.

Both sides agree to appear before learned Court below on 8th of August, 2016, when the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the aforesaid stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Samastipur in connection with Sarairanjan P.S. Case No. 19 of 2013, G.R. No. 213 of 2013.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the informant fails to

appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

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(Dinesh Kumar Singh, J)

