

Arising Out of PS.Case No. -415 Year- 2015 Thana -CIVIL LINE District- GAYA

.... Petitioner/s

1. The State of Bihar.
2. Hena Parveen D/o Md. Manzoor Alam, Resident of Mohalla- Kathotar Talab P.S.- Civil Line, District- Gaya.

.... Opposite Party/s

For the Opposite Party/s : Mr. Md.Fahimuddin(App)

2 01-04-2016 The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 498A, 504/34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the informant. It is further submitted that informant earlier filed Complaint Case No. 2202 of 2013 which was dismissed by learned Sub-Divisional Judicial Magistrate, Gaya vide order dated 08.08.2014 since the informant did not submit the requisites for issuance of summons as she was not inclined to proceed with the case. Thereafter the informant filed Gaya



Civil Lines P.S. Case No. 222 of 2015, wherein the petitioner was granted bail vide dated 27.03.2015 passed by learned Sessions Judge, Gaya in A.B.P. No. 1532 of 2015 since both sides agreed to settle the dispute, but the issue could not be settled and this is the third case which has been filed by the informant. The petitioner is ready to keep the informant with dignity and honour or settle the dispute otherwise. A statement to that effect has been made in para 18 of the petition which reads as follows:-

“That the petitioner is husband of informant and he is ready to settle the matrimonial dispute with informant either she become agree to her responsibility in order to discharge the matrimonial obligations or one time settlement according to wishes of informant, because due to attitude of informant petitioner is moving pillar to post for his livelihood his educational carrier has been ruined.”

It is submitted by learned counsel for the informant that informant wants to resume the conjugal life.

Both sides agree to appear before learned Court below on 25th of April, 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 Chief Judicial Magistrate, Gaya in connection with Gaya Civil Lines P.S. Case No. 415 of 2015.

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.

(Dinesh Kumar Singh, J)

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