

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43444 of 2015

Arising Out of PS.Case No. -371 Year- 2014 Thana -BIHPUR District- BHAGALPUR

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1. Ajit Ray Son of Late Ramadhar Ray Resident of Village - Devnagar
Dadpur Chapri, P.S. - Amarpur, District - Banka

.... Petitioner/s

Versus

1. The State of Bihar
2. Chanda Kumari Wife of Ajit Ray Resident of Village - Devnagar Dadpur
Chapri, P.S. - Amarpur, District - Banka, at present resident of village -
Amarpur, P.S. - Bihpur, District - Bhagalpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravina Kumari, Advocate
For the Opposite Party/s : Mr. Pranav Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 31-03-2016 Learned counsel for the petitioner is permitted to
make correction in the petition during course of the day.

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, 342, 325, 504, 506 of the
Indian Penal Code.

The basic accusation is of torture after 14 years of
marriage and making assault.

It is submitted by the learned counsel for the
petitioner that petitioner admits the marriage with the
informant and ready to keep the informant with his two

children as wife with full dignity and honour. Statement to that effect has been made in para- 11 of the petition which reads as follows:-

“That the petitioner still is ready to keep his wife i.e. the informant with him and he undertake to maintain his wife properly in all respects and undertakes to provide the love and affection and also undertakes to provide best efforts for her maintenance.”

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

Both the petitioner and informant appear before the learned court below on 18th of April, 2016 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 Additional Chief Judicial Magistrate, Naugachiya, Bhagalpur in connection with Bihpur P.S. Case No. 371 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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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