

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45951 of 2016

Arising Out of PS.Case No. -165 Year- 2015 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

=====

Gopal Jha

.... Petitioner/s

Versus

1. State of Bihar
2. Soni Devi

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sameer Ranjan

For the Opposite Party/s : Smt. Gulnar Begam

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-10-2016

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Sections 498A, 323 and 504 of the Indian Penal Code.

The basic accusation is of torture.

On instruction it is submitted that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 13 of the petition which reads as follows:

“That the petitioner is ready to keep the complainant/O.P. with full dignity as a wife.”

It is further submitted that similar was the stand of the petitioner before the learned court below.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Biraul, Darbhanga in connection with Complaint Case No. 165 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities –
(i) if the matrimonial harmony is substantially restored or
(ii) if the complainant fails to appear before the learned



court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.



Anil/-

(Dinesh Kumar Singh, J)

U		T	
---	--	---	--