

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45086 of 2016

Arising Out of PS.Case No. -22 Year- 2016 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

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AJIT JHA @ AJIT KUMAR JHA Son of Late Anjani Jha

.... Petitioner/s

Versus

1. The State of Bihar
2. Abha Kumari @ Abha Devi Wife of Ajit Jha

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-10-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A/120B/34 of the Indian Penal Code.

Basic accusation is of torture.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 7 of the petition which reads as follows:-

"That it is stated that petitioner never demanded any dowry and never subjected his wife any cruelty or torture rather always wanted to keep his wife with full dignity and affection."

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 twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Kaimur at Bhabhua in connection with Mahila (Bhabhua) P.S. Case No.22/2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant for her appearance. On her appearance, the petitioner will take the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the informant fails to appear before the learned court below or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Ashwini/-

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