

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22932 of 2016

Arising Out of PS.Case No. -300 Year- 2015 Thana -PATRAKARNAGAR District- PATNA

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Rohan Kumar, Son of Sanjay Kumar @ Chunnu Singh, Resident of Mohalla- Shakti Nagar, Police Station- Chapra Mufassil, District- Saran

.... Petitioner/s

Versus

1. The State of Bihar
2. Puja Kumar, Wife of Rohan Kumar and Daughter of Shatrudhan Singh, Resident of Mohalla- Ramkrishanpuri, Masoomgunj, Gudari Bazar, P.S.- Bhagwan Bazar, District- Saran at Chapra

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash, Adv.
For the Opposite Party/s : Mr. Madhuri Lata(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-05-2016 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 341, 325, 504, 506, 379 and 498A/34 of the Indian Penal Code.

The basic accusation is of torture.

Learned counsel for the petitioner submits that the 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 14 of the petition which reads as follows:-

“That the petitioner is ready to keep the informant with full dignity and honour.....”

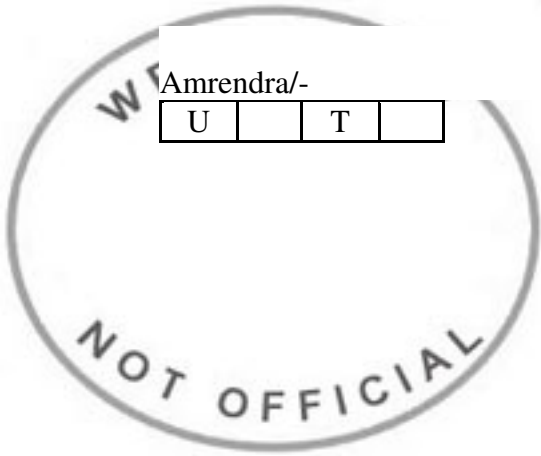
It is further submitted by learned counsel for the petitioner that earlier the petitioner filed Matrimonial Suit No. 192 of 2015 for restitution of conjugal right but in spite of best effort made by the petitioner the issue could not be reconciled due to apathetic attitude of the informant.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year 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 JM, 1st Class, Patna in connection with Patrakar Nagar P.S. Case No. 300 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 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)