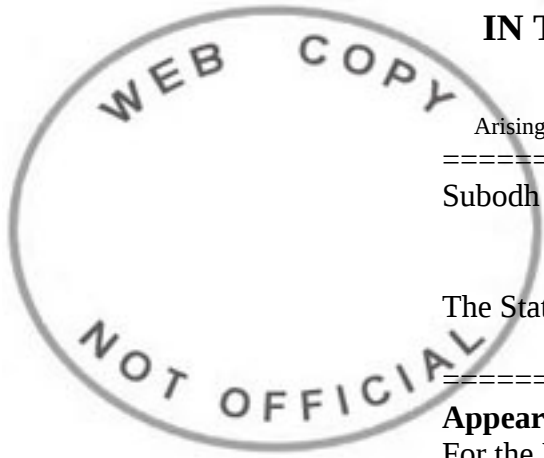




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38474 of 2016

Arising Out of PS.Case No. -178 Year- 2016 Thana -MAHUA District- VAISHALI(HAJIPUR)

Subodh Kumar Ray @ Subodh Kr. Rai, son of Chandeshwar Rai
..... Petitioner/s

Versus

The State of Bihar
..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-09-2016 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/34 of the Indian Penal Code.

The 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 14 of the petition which reads as follows:-

"That the petitioner is always ready to keep the

informant as a wife with full honour and dignity along with his family."

It is further submitted that at earlier point of time the informant has filed Complaint Case No.777/2016 with similar accusation.

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 Mahua P.S. Case No.178/2016, in connection with learned CJM, Vaishali at Hajipur, 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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