

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19139 of 2016

Arising Out of PS.Case No. -191 Year- 2015 Thana -PARSABAZAR District- PATNA

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Vishal Kumar, son of Sri Gopal Prasad, resident of village/Mohallah-Gayatri Nagar, Railway Line, Kurthaul, P.S-Parsa Bazar, District-Patna(Bihar

.... Petitioner/s

Versus

1.State of Bihar

2. Guriya Devi wife of Vishal Kumar and daughter of Late Raghunandan Prasad, resident of village/Mohalla-L.C.T. Ghat, behind of Ganga Tower, Gate No.1, Mainpura, P.S.-Patliputra, District-Patna(Bihar)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Anita Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02-05-2016

Heard learned counsel for the petitioner and the State.

The petitioner being husband of the informant is apprehending arrest in a case registered under section 498A/34 of the Indian Penal Code.

It is alleged that the petitioner made an attempt to burn the informant with pouring kerosene oil.

It has been submitted by the learned counsel for the petitioner that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph no.15 of the petition, which reads as follows:

“ That the Petitioner was not only kept his wife with dignity and

honour rather he still ready to keep her but she herself does not ready to stay at the house of the petitioner. It is also relevant to state here that the petitioner is still ready to keep the Informant with full dignity and honour if she desires to live with him.”

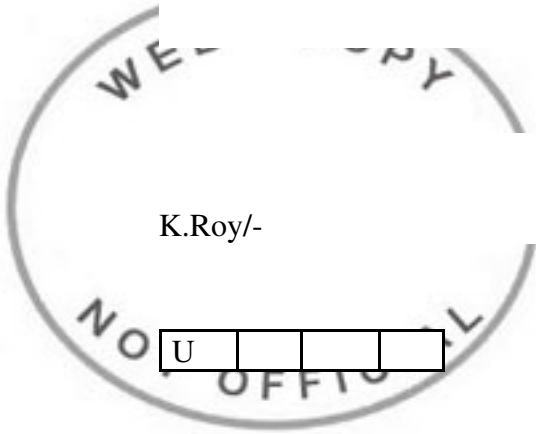
It has been further submitted that similar was the stand of the petitioner before the court below.

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

Considering the present stand of the petitioner, let the 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 bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Sri Atul Sinha, learned Judicial Magistrate, 1st Class, Patna, in connection with Parsa Bazar P.S. Case No. 191 of 2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The provisional anticipatory 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; or(ii) if the informant gets reluctant to reconcile the

issue; or(iii) if the informant fails to appear before the learned court below.



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(Dinesh Kumar Singh, J)