

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21740 of 2016

Arising Out of PS.Case No. -353 Year- 2015 Thana -MADHUBANI TOWN District-
MADHUBANI

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CHANDAN KUMAR RAY @ CHANDAN ROY

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Rajesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-05-2016 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 offence punishable under Sections 498A/34 of the Indian Penal Code.

The basic accusation is of torture.

On instructions, it is submitted that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 10 of the petition which reads as follows:

“That the petitioner is husband of the opposite party no. 2 and he is ready to keep his wife with all

respect.”

It is further submitted that though the accusation of assault has been levelled but there is no medical report to that effect.

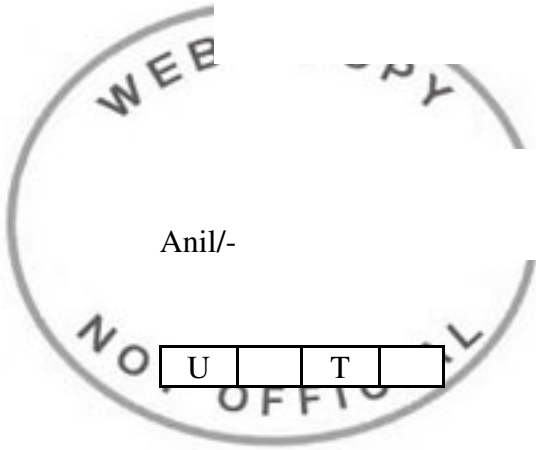
Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Madhubani in connection with Madhubani Town P.S. Case No. 353 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 and 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 the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the informant fails to appear before the learned court below or (iii) if the informant deliberately gets reluctant to



reconcile the issue.



(Dinesh Kumar Singh, J)