

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23429 of 2016

Arising Out of PS.Case No. -453 Year- 2015 Thana -MADHUBANI TOWN District-
MADHUBANI

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Santosh Kumar Mahto son of Ram Chandra Mahto.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Das

For the Opposite Party/s : Mr. P.K.Chaurasiya(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-05-2016

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 498A 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. Though, the relation between the petitioner and the informant is not cordial but the petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 13 of the petition which reads as follows:-

“That in spite of the above narrated facts petitioner is ready to keep his wife with full dignity and modesty.”

It is further submitted that similar was the stand of the

petitioner before the learned court below but the issue could not be reconciled.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for four 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 SDJM, Madhubani in connection with Madhubani Town P.S. Case No. 453 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)

Amrendra/-

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