

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3814 of 2016

Arising Out of PS.Case No. -76 Year- 2015 Thana -MAHILA PS District- JEHANABAD

Bijendra Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushant Kumar

For the Opposite Party/s : Mr. Akbar Ali(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is languishing in jail since 23.11.2015 in a case registered for the offences punishable under Sections 341, 323, 376(C), 377, 498A and 504/34 of the Indian Penal Code.

The prosecution case is that the petitioner confined the informant in a room, forced her to drink liquor and thereafter committed unnatural offence.

It is submitted by learned counsel for the petitioner that the medical report does not suggest the commission of unnatural offence however, it was suspicious case of consuming liquor but no resisting injury has been found on the body of the informant. This is not in dispute that the petitioner and informant are husband and wife. The petitioner is ready to keep the informant as wife

with dignity and honour, statement to that effect has been made in para 2 of the supplementary affidavit which reads as follows:-

“That the petitioner is ready to keep the informant as wife with full love, affection and all dignities.”

Learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner but she is apprehensive due to past conduct of the petitioner.

In the circumstances, let the above named petitioner be released on bail on provisional bail for three months on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Jehanabad in connection with Jehanabad (Mahila) P.S. Case No. 76 of 2015.

Both sides shall appear before the learned court below on 16th of February, 2016 when 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 complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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