

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26545 of 2015

Arising Out of PS.Case No. -4493 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Satish Kumar alias Satish Pandit,.
2. Pramod Kumar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rakhi Devi w/o Satish Kumar, D/o Naresh Pandit of Kali Mandir, Postal
Park, Road No.3, P.s. Jakkanpur, Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawabzada Syed Md. Babar Hayat
Quadri

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-07-2015 Heard learned counsels for the petitioner and the State.

The petitioner no.1 being the husband of the complainant and petitioner no.2 being the nephew (Bhagna) of petitioner no.1 are apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code.

The basic accusation is of torture.

On instruction, learned counsel for the petitioners submits that the petitioner no.1 is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has

been made in para 12 of the petition which reads as follows:-

“That the husband/ petitioner no.1 is ready to keep the informant with dignity and respect.....”

Considering the present stand of the petitioner no.1, let the above named petitioner no.1 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 bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Patna in connection with Complaint Case No. 4493C of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. On her appearance, the petitioner no.1 will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner no.1 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.

Considering the present stand of the petitioner no.1, let

the above named petitioner no.2 be released on anticipatory bail 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 Judicial Magistrate, Patna in connection with Complaint Case No. 4493C of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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