

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44290 of 2014

Arising Out of PS.Case No. -3925 Year- 2012 Thana -SARAN COMPLAINT CASE District-
SARAN

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Mukesh Sah @ Mukesh Kumar Sah Son of Maharaja Sah Resident of
Village - Hasanpur, P.S. - Nayagaon, District- Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi, W/o Mukesh Kumar Sah D/o Ram Chandra Sah, R/o village
– Bharopur, P.S. Doriganj, District – Saran at Chapra.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar

For the Opposite Party/s : Mr. H.A.Khan(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

03/ 24-03-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case wherein
processes have been directed to be issued after cognizance being
taken for the offences punishable under Section 498A of the
Indian Penal Code.

The basic accusation is of torture.

The marriage between the petitioner and the
complainant is admitted.

Notices were issued to the complainant-opposite

party no. 2 vide order dated 16.12.2014 on submission of learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para 8 of the petition, which reads as follows:- “That petitioner is a respectable and he is ready to keep the complainant with full dignity and honour.”

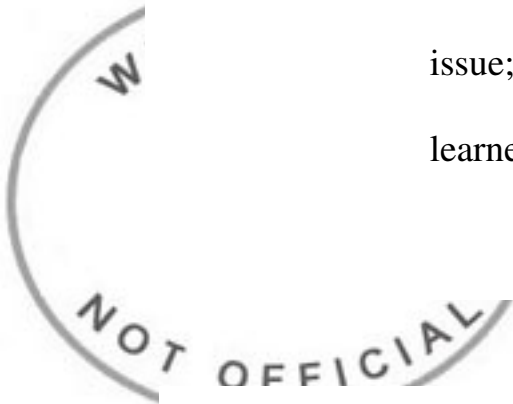
In pursuance to the notice the complainant has appeared and accepts the offer of the petitioner.

Both sides agree to appear before the learned court below on 7th of April, 2015 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for one year in the event of his 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 learned Sub-divisional Judicial Magistrate, Chapra in connection with Complaint Case No. 3925 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional 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; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.



(Dinesh Kumar Singh, J)

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