

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53672 of 2015

Arising Out of PS.Case No. -743 Year- 2013 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

Sanjay Tiwary Son of Late Anant Tiwary resident of village - Lilee, Police
Station - Karamchat (Sabar), District - Kaimur at Bhabhua.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Arti Devi W/o Sanjay Tiwari resident of village - Lilee, Police Station -
Karamchat (Sabar), District - Kaimur at Bhabhua, A/P resident of Maura,
P.O. - Chandrakathi P.S. Chenari, District - Rohtas.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 26-11-2015

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
process has 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.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph 9 of the petition, which reads as follows:-

“That the petitioner is ready to keep her with respect and dignity with complainant.”

Considering the present stand of the petitioner, 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, Kaimur at Bhabhua in connection with Complaint Case No. 743 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

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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