

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6557 of 2015

Arising Out of PS.Case No. -520 Year- 2012 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Abulaish Son of Solajim Miya, Resident of Village - Thappar, P.S. -
Chhauradana, Dist.-East Champaran, Motihari

.... Petitioner/s

Versus

1. The State of Bihar
2. Jabun Nesha Wife of Abulaish, D/o Daulat Miyan At present resident of
village - Indarawa Phulwar, P.S.-Lakhara, (Khorashan) Dist.-Motihari

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. A.L. Pandit (APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 19-02-2015 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 341, 323 and 406 of the Indian Penal Code.

The basic accusation is of torture.

On instruction it is submitted by 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.

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, Raxaul at Motihari in connection with Complaint Case No. 520 of 2012, 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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