

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2099 of 2015

Arising Out of PS.Case No. -225 Year- 2013 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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Sheo Nath Chaudhary @ Sheonath Choudhary S/o Jawahir Chaudhary,
resident of village- Mahendra Chak, P.S.- Daudnagar, District- Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar
2. Seema Devi W/o Sheo Nath Chaudhary D/o Moti Lal, resident of
village- Mahendra Chak, P.S.- Daudnagar, District- Aurangabad At
present resident of village- Deokund, P.S.- Deokund, District-
Aurangabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Ram Bachan Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 19-01-2015

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 in
which processes have been directed to be issued after cognizance
being taken for the offences punishable under Sections 498A,
323 and 504/34 of the Indian Penal Code.

The basic accusation is of torture.

On instructions 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, Daudnagar, District - Aurangabad in connection with Complaint Case No. 225 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 below.

(Dinesh Kumar Singh, J)

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