

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19661 of 2015

Arising Out of PS.Case No. -1499 Year- 2013 Thana -BHABHU(KAIMUR) COMPLAIN C
District- BHABHUA (KAIMUR)

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Shah Alam Ansari. Son of Yasin Ansari

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sabina Bibi. Wife of Shah Alam Ansari. Resident of Village - Tendua,
P.S.- Karamchat (Sabar), District - Kaimur at Bhabua. At present address at
Village - Amaon, P.S.- Karamchat (Sabar), District - Kaimur at Bhabua.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 29-04-2015 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant
is apprehending arrest in a complaint case wherein process has
been directed to be issued after cognizance being taken for the
offences punishable under Sections 498A, 323, 379/34 of the
Indian Penal Code.

The basic accusation is of torture.

On instruction, learned counsel for the petitioner
submits that the petitioner is ready to keep the complainant as
wife with full dignity and honour. A statement to that effect has
been made in para 7 of the petition which reads as follows:-

"7. That the petitioner is ready to keep the
wife with honour and full dignity"

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 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 Chief Judicial Magistrate, Kaimur at Bhabua in connection with Complaint Case No. 1499 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 will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner 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.

(Dinesh Kumar Singh, J)

Ashwini/-

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