

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22370 of 2015

Arising Out of PS.Case No. -857 Year- 2011 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Premlal Kumar Sahani S/o Ram Ekbal Sahani resident of village -
Mahamadpur, Bajar, P.S. Rajepur, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi W/o Premlal Kumar Sahni, D/o Ashok Sahani Resident of
village - Naya Tola, P.S. Chakia, District - East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. Renuka Ratnakar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 06-07-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

On instructions, it is submitted that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 10 of the petition which reads as follows:

“That it is stated and humbly submitted that the

petitioner is ready to keep his wife with full dignity and honour.”

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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM Sikarhana, Motihari, East Champaran in connection with Complaint Case No. C-857 of 2011 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and 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 the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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