

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4513 of 2015

Arising Out of PS.Case No. -624 Year- 2013 Thana -SARAN COMPLAINT CASE District-
SARAN

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1. Babban Bhagat S/o Rameshwar Bhagat@ Butai resident of Village-
Khajuri, P.S. - Panapur, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rinku Devi W/o Babban Bhagat resident of Village-Manpur Tola (Pravej Khan), P.S. - KHaira, District- Saran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. M.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 04-05-2015 Heard learned counsels for the petitioner,

complainant 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. Marriage between the petitioner and the complainant is admitted fact.

On instructions, it is submitted that the petitioner



is ready to keep the complainant as wife with full dignity and honour. Learned counsel for the complainant, on instruction, submits that the offer is acceptable to the complainant and the complainant has not performed second marriage. Both petitioner and the complainant agree to appear before the learned court below on 28.5.2015 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 Saran at Chapra in connection with Complaint Case No. 624 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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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