

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22340 of 2015

Arising Out of PS.Case No. -211 Year- 2014 Thana -COMPLAINT CASE District- SUPAUL

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1. Md. Tanvir Ansari S/o Md. Moin Ansari R/o Village Madhubani, P.S. Balwa Bazar (Lalit Gram O.P.), District Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shabnam Khatoon W/o Md. Tanvir Ansari, D/o Md. Basi At present residing Sukha nagar, P.S. Pratapganj, District Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra
For the Opposite Party/s : Mr. Subhash Chandra Mishra (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 Sections 323,498A and 379 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 the petitioner is still ready to keep her as wife with all dignity with due respect, if she is ready to live with

petitioner.”

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 Birpur at Supaul in connection with Complaint Case No. 211C of 2014 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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