

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29726 of 2014

Arising Out of PS.Case No. -489 Year- 2010 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Md. Shahnawaz @ Nanha @ Nanhe Son of Md. Sami @ Md. Sami
Ahmad Resident of Village - Dumari, P.S. - Singhaul, District - Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

2. Raushan Khatoon W/o Md. Shahnawaz @ Nanha @ Nanhe, Duaghter of
Md. Ishmail Resident of Village - Chondi, P.S. - Barh, District - Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan Sinha, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

4 06-02-2015 Heard learned counsel 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, 379 and 323 of the Indian Penal Code.

The accusation is of torture.

It is submitted by the learned counsel for the
petitioner that complainant earlier filed Complaint Case No.

149(C) of 2007 with similar accusation and the petitioner was granted bail. Subsequently, the said case was directed to be transferred from the court of learned Sub-Divisional Judicial Magistrate, Barh to the Court of competent jurisdiction at Begusarai.

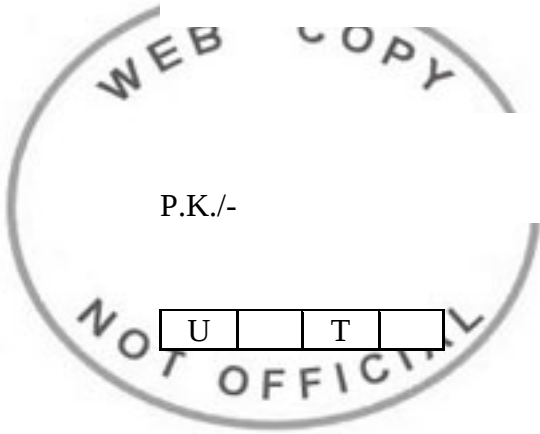
It is orally submitted by learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour.

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 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, in connection with Complaint Case No. 489(C) of 2010, 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.



(Dinesh Kumar Singh, J)