

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33721 of 2014

Arising Out of PS.Case No. -383 Year- 2013 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Tez Narayan Singh @ Rajesh Bhushan Singh @ Rajesh Bhushan
..... Petitioner.

Versus

- 1. The State of Bihar.
- 2. Neelam Devi.

..... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Dhananjay Kumar Tiwary, Advocate.
For the State : Mr. Manoj Kumar (App).
For the complainant : Mr. Manish Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 16-02-2015 Heard the learned counsels for the

petitioner, complainant and learned A.P.P. for the

State.

The petitioner being the husband of the complainant is apprehending his arrest in complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498(A) of the Indian Penal Code.

The basic accusation is of torture.

On instructions, learned counsel for the petitioner submits that the petitioner is ready to keep the complainant as wife with full dignity and honour and a statement to that effect has been made in paragraph no. 10 of the petition.

The impugned order reflects that the issue could not be reconciled since the petitioner did not accept the offer of the complainant for settling the dispute.

Learned counsel for the complainant submits that the complainant is ready to accept the present offer of the petitioner but she is apprehensive due to inconsistent stand of the petitioner.

Both sides agree to appear before the learned court below on 27.02.2015 when the petitioner will take back the complainant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the stand of the parties, let the petitioner, above named, 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 in connection with Complaint Case No. 383C of 2013 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Rohtas at Sasaram, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The provisional bail of the petitioner will

be confirmed by the learned court below in three eventualities i.e., (i) if the matrimonial harmony is substantially restored within one year (ii) or the complainant fails to appear before the learned court below (iii) or she gets reluctant to reconcile the issue.

It is made clear that if the petitioner will take different stand henceforth no modification application will be entertained.

U.K./-

(Dinesh Kumar Singh, J)

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