

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27736 of 2015

Arising Out of PS.Case No. -2727 Year- 2014 Thana -COMPLAINT CASE District- ARRARIA

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1. Naushad Alam @ Md. Naushad Alam Son of Late Md. Harish Resident of village - Rajokhar, P.S. Raniganj (Araria R.S.) District - Araria

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Ahsaina D/o Abdur Rauf, Wife of Naushad Alam Resident of village - Rajokhar, P.S. Raniganj (Araria R.S.) District - Araria

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar
For the Opposite Party/s : Mr. Choubey Jawahar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-07-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case filed with accusation under Sections 498A,323,341 and 504/34 of the Indian Penal Code.

The basic accusation is of torture.

The petitioner admits marriage with the complainant. 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. 14 of the petition the

relevant portion of which reads as follows:

“The petitioner is ready to keep the complainant and children with full regard and respect.”

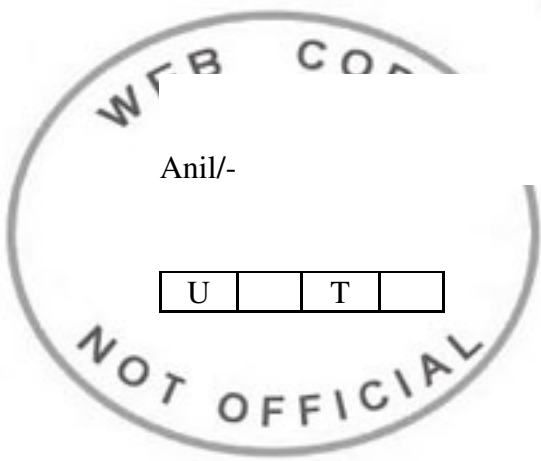
Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Araria in connection with Complaint Case No. 2727 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.



Anil/-

(Dinesh Kumar Singh, J)