

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35801 of 2014

Arising Out of PS.Case No. -2938 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

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1. Imtiyaz Alam Son of Nizamuddin resident of village- Maina, Police Station- Palasi, District- Araria

.... Petitioner/s

Versus

1. The State of Bihar
2. Ruby Khatoon daughter of late Sk. Suleman resident of village- Maina, Police Station- Palasi, District- Araria

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Dinesh Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 11-08-2015

Petitioner being husband of the complainant

is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 323, 341, 379, 498A, 504 of the Indian Penal Code.

The basic accusation is of torture.

On the joint prayer of the parties, vide order dated 13.02.2015 the matter was referred to the Mediation Centre of the State Legal Services Authority. The report of the Mediator at Flag-P dated 01.07.2015 reflects that in spite of several efforts the dispute could not be resolved through the process of mediation.

The petitioner is present in the Court and now it is submitted that petitioner is ready to keep the complainant as wife, though statement to that effect has not

been made in the petition. Learned counsel for the complainant, on instructions submits that complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before learned Court below on 17th of August, 2015, when the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The petitioner admits the marriage having children with the complainant.

Considering the aforesaid stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Araria in connection with Complaint Case No. 2938-C of 2013.

The complainant is at liberty to file appropriate application for cancellation of bail bonds of the petitioner, if the petitioner fails to comply the undertaking given before this Court.

(Dinesh Kumar Singh, J)

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