

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35784 of 2014

Arising Out of PS.Case No. -129 Year- 2014 Thana -COMPLAINT CASE District- KISANGANJ

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1. Md. Shamim Akhtar Son of late Abdur Rahman resident of village-
Mirbhita, Police Station- Powakhali, District- Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Sufiya Begum daughter of Shahabuddin resident of village- Baitbari,
Police Station- Garbandanga, District- Kishanganj

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Anant Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2015 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, 323, 147, 307/34 of the Indian Penal Code.

The accusation is of torture.

On instruction it is 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 parties, 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, Kishanganj in connection with Complaint Case No. C-129 of 2014, 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)

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