

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31781 of 2015

Arising Out of PS.Case No. -101 Year- 2013 Thana -COMPLAINT CASE District- KISANGANJ

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1. Sahab Babu @ Md. Sahab Babu Son of Md. Quamrul resident of village - Haldikhora, P.S. Kochadhaman, District - Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Tahserin Begum Wife of Sahab Babu @ Md. Sahab Babu and daughter of Md. Tahir Alam Resident of Satighta, P.S. Bahadurganj, District - Gopalganj

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarangdhar Jha

For the Opposite Party/s : Mr. Sanjay Kumar Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-08-2015 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 Sections 323, 498A, 504 of the Indian Penal Code.

The basic accusation is of torture.

On instructions, it is submitted by learned counsel for the petitioner that petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 6 of the petition which reads as follows :-

“That the petitioner is husband of the complainant and he is ready to keep her if she wants to do the same with full respect and dignity”.

Considering the present stand of the petitioner, 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 provisional anticipatory bail for one year, on furnishing bail bond 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 101 of 2013.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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