

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32254 of 2015

Arising Out of PS.Case No. -658 Year- 2014 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Md. Abdul Bahab S/o Md. Mustakin Resident of Village Jotaili Gulab Tola, Police Station Bihariganj, District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Sallam Khatoon D/o Naimuddim, W/o Md. Abdul Bahab Resident of Village Jataili Gulab Tola, Police Station Bihariganj, District Madhepura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-08-2015 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 323,379,504 and 498A/34 of the Indian Penal Code.

The basic accusation is of torture.

The petitioner admits his 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. 7 of the petition which reads as follows:

“That the petitioner is still ready to keep his wife with full dignity and honour, if she is ready to live with her husband. ”

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, Udakishunganj in connection with Complaint Case No. 658C 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.

(Dinesh Kumar Singh, J)

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