

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32781 of 2015

Arising Out of PS.Case No. -352 Year- 2012 Thana -BHOJPUR COMPLAINT CASE District-
BHOJPUR

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1. Sona Singh S/o Ramji Singh Resident of Village Bhakura, Police
Station Ara Muffasil, District Bhojpur, presently posted as Army No.
16677048, 2-Field Sub Group, Bhatinda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nilu Devi @ Nilu Singh W/o Sona Singh Resident of Village Bhakura,
Police Station Ara Muffasil, District Bhojpur, presently residing at
Village Purushottampur, P.S. Ara Muffasil, District Bhojpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Singh
For the Opposite Party/s : Mr. Murlidhar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-08-2015 Petitioner being husband of the
complainant is apprehending his arrest in a complaint case
filed with accusation under Sections 323, 341, 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 an army personnel
and is ready to keep the complainant as wife with full dignity
and honour. A statement to that effect has been made in para
15 of the petition which reads as follows:-

“That the petitioner is still
ready and is willing to keep the complainant with him as
his legally married wife.”

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, Bhojpur at Ara in connection with Complaint Case No. 352(C) of 2012.

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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