

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35916 of 2015

Arising Out of PS.Case No. -3506 Year- 2013 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Guddu Kr. Mahaldar s/o Nachhatar Mahaldar, resident of Village-
Biyarpur, P.S.- Ranipatra Dist.- Purnia

.... Petitioner/s

Versus

1. The State of Bihar
2. Nilam Kumari, D/o- Shree Sagar Mahaldar Vill- Biyarpur, P.S. Rani
Patna, Musfil Sadar, Dist Purnia.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick
For the Opposite Party/s : Mr. Umanath Mishra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-08-2015 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 354, 498A of
the Indian Penal Code.

The basic accusation is of torture. It is also
alleged that father of the petitioner made an attempt to outrage
the modesty of the complainant.

On instructions, it is submitted by learned
counsel for the petitioner that petitioner admits his marriage
with the complainant and is ready to keep the complainant as
wife with full dignity and honour. A statement to that effect has
been made in para 10 of the petition which reads as follows:-

“That the petitioner is always ready

to keep her with full respect and dignity which she deserves.”

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 Chief Judicial Magistrate, Purnea in connection with Complaint Case No. 3506 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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