

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40843 of 2015

Arising Out of PS.Case No. -849 Year- 2011 Thana -COMPLAINT CASE District- KISANGANJ

=====

1. Kamleshwar Mahto @ Kameshwar Mahto @ Kameshwar Mahto Son of
Muksudan Mahto resident of village - Basandubi (School Hangi), Police
Station Galgali in the district of Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shila Devi W/o Kamleshwar Mahto Resident of Basanrubi (School
Bangi), Police Station - Galgali, in the district of Kishanganj.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Raj Kumar
For the Opposite Party/s : Mr. B.M.P.Sinha (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-08-2015 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 Section 498A of the
Indian Penal Code.

The basic accusation is of torture.

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 14 of the petition which reads as follows:-

“That it is humbly submitted that
petitioner is always ready to keep the O.P. No. 2 as his
wife with full love and affection and maintained her.”

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 Judicial Magistrate, 1st Class, Kishanganj in connection with Complaint Case No. 849(C) of 2011.

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)

Shageer/-

U		T	
---	--	---	--