

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41399 of 2014

Arising Out of PS.Case No. -268 Year- 2013 Thana -COMPLAINT CASE District- SUPAUL

=====

1. KAIRUN KHATOON @ KERUP KHATOON Wife of Md. Tafazul,
Resident of Village - Sitapur, P.S. - Birpur, District- Supaul
2. Md Irfan Son of Md. Tafazul. Resident of Village - Sitapur, P.S. -
Birpur, District- Supaul

.... Petitioner/s

Versus

1. The State of Bihar
2. Afsana Khatoon Wife of Md. Irfan, D/o - Md. Mohiuddin Resident of
Village - Lalpur Goath, P.S. - Birpur, Distt. - Supaul.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh (APP)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-02-2015 Heard learned counsel for the petitioners and the

State.

The petitioner no.1 being mother-in-law of the complainant and petitioner no. 2 being the husband of the complainant are apprehending their arrest in a complaint case in which processes have been 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 instruction it is submitted by learned counsel for the petitioner no. 2 that the petitioner no. 2 is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para-8 of the

petition.

Considering the present stand of the petitioner no 2, let the above named petitioner no. 2 be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Birpur at Supaul in connection with Complaint Case No. 268C of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant on her appearance the petitioner no. 2 will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner no. 2 will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

Considering the present stand of petitioner no. 2, let the above named petitioner no. 1 be released on anticipatory bail in the event of her arrest or surrender before the learned court below within a period of twelve weeks from today, on

furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Birpur at Supaul in connection with Complaint Case No. 268C of 2013, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

P.K./-

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