

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34496 of 2015

Arising Out of PS.Case No. -357 Year- 2014 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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1. Ravi Kumar Sah @ Ravi Kumar Sahu S/o Gaurishankar Sah, R/o
Village- Dubauli, P.S.- Brahampur, District- Buxar

.... Petitioner/s

Versus

1. The State of Bihar
2. Anu Devi @ Gudiya Devi D/o Chhotelal Sahu R/o Village- Dubauli,
P.O.- Deokuli, P.S.- Brahampur, District- Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogendra Prasad Sinha

For the Opposite Party/s : Mr. H.A.Khan(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 17-08-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein processes were directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

On instruction it is submitted that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 6 of the petition which reads as follows:

“That the fact is that the complainant does not want to live with the petitioner although the petitioner is/was always ready to keep the complainant.”

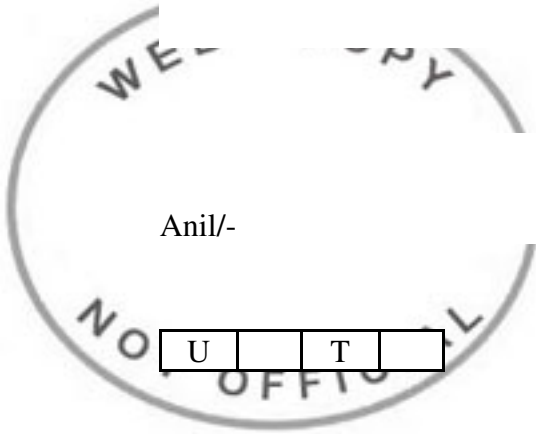
It is further submitted that the petitioner filed Matrimonial Case No. 14 of 2014 for restitution of conjugal rights at earlier point of time.

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 SDJM Buxar in connection with Complaint Case No. 357C 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.



Anil/-

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(Dinesh Kumar Singh, J)