

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33671 of 2015

Arising Out of PS.Case No. -299 Year- 2014 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Abhitej Kumar son of Mukesh Singh, Resident of Village- Saroopa,
Police Station- Dhaka, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priyanka Kumari wife of Abhitej Kumar, D/o Umesh Singh, R/o Village-
Parsauna Madan, P.S.- Ramgarhwa, Distt.- East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar

For the Opposite Party/s : Mr. Shailendra Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 13-08-2015

Heard learned counsel for the petitioner and the

State.

The petitioner being husband of the complainant

is apprehending his arrest in a complaint case wherein process has

been directed to be issued after cognizance being taken for the

offences punishable under sections 498(A), 420 of the Indian

Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture.

Learned counsel for the petitioner submits that

the petitioner admits the marriage with the complainant and

petitioner has filed a matrimonial case No. 218 of 2014 for

restitution of conjugal life. The petitioner is still ready to keep the complainant as wife with full dignity and honour. Statement to this effect has been made in paragraph no. 8 of the petitioner which reads as follows:-

“That the petitioner is still ready to keep the complainant/opposite party no.2 with full honour and dignity”.

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 his arrest or surrender before the learned court below within a period of 12 weeks from today, on furnishing bail bonds of Rs. 10,000/ (ten thousand) with two sureties of like amount each to the satisfaction of learned S.D.J.M, Sikarhana, East Champaran at Motihari in Complaint Case No. 299 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 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 within one year by the learned court below in three eventualities: (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant get reluctant to reconcile the

issue, and 9iii) or if the complainant fails to appear before the learned court below.

(Dinesh Kumar Singh, J)

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