

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46345 of 2014

Arising Out of PS.Case No. -143 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

Surendra Bahardar @ Suren Bhardar Son of Bishanal Bahardar, Resident of Village - Kewalashi, P.S. - Forbesganj, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sajela Devi D/o Ganga Bahardar, W/o Surendra Bahardar, Resident of Village - Deniya, P.s. - Sikty, District-Araria.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. J.N. Thakur (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 16-04-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the 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 Section 498A of the Indian Penal Code.

The basic accusation is of torture.

On instruction it is submitted by learned counsel

for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para 10 of the petition, which reads as follows:- **“That it is humbly submitted that the petitioner is husband of complainant and ready to keep his wife with full dignity and honour.”**

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 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, Araria in connection with Complaint Case No. 143 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 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 gets reluctant to reconcile the

issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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