

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43303 of 2015

Arising Out of PS.Case No. -3653 Year- 2013 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Bharat Bhushan Singh

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amod Kumar Singh

For the Opposite Party/s : Mr. M.Rub(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-09-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code.

The basic accusation is of torture.

It appears from the record that earlier also Jandaha P.S. Case No. 127 of 2006 was registered by the complainant with similar accusation which ended into compromise but thereafter the petitioner started to torture the complainant.

Learned counsel for the petitioner submits that the 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 8 of the petition

which reads as follows:-

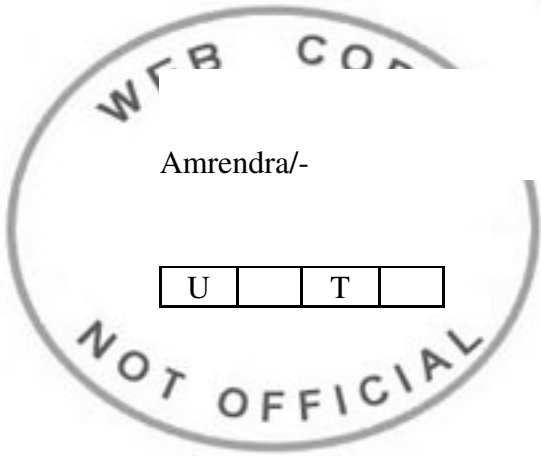
“Thatthe petitioner is ready to keep the complainant with full dignity and with good harmony.”

Considering the present stand of the petitioner, since it is the second case lodged by the complainant with similar accusation, let the above named petitioner be released on provisional anticipatory bail for six months 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Vaishali at Hajipur in connection with Complaint Case No. C1-3653 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. 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 learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant

gets reluctant to reconcile the issue.



(Dinesh Kumar Singh, J)

Amrendra/-

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