

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36991 of 2015

Arising Out of PS.Case No. -10 Year- 2007 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Estefak Ahmad @ Istak Mian @ Istefak Ahmed @ Istak Miya, Son of
Late Hanif Mian, Resident of village- Dhangadhwa, P.S.- Palanwa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ambeya Khatoon @ Shraweya Khatoon W/o Estefak Ahmad @ Istak
Mian @ Istefak Ahmad @ Istak Miya, D/o Jokhan Mian, Resident of
village- Dhangadhwa, P.S.- Palanwa, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Hirday Pd. Singh(App)

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

2 27-08-2015 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending his 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 after 15 years of marriage.

It is submitted by the learned counsel for the petitioner that the issue has been reconcile between the parties and a compromise petition has been filed before the leaned court below. Same has been brought on record as Annexure-2.

Statement to that effect has been made in para-10 of the petition. Further statement has been made in para-11 of the petition that petitioner is ready to keep the complainant as wife with due dignity and honour which reads as follows:-

“That the petitioner is ready to keep complainant with him as his wife with full honour and dignity.”

Considering the aforesaid facts, let the above named petitioner be released on bail 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 Sri N.K. Priyadarshi, Judicial Magistrate, Ist Class, Raxaul, Motihari, East Champaran in connection with Complaint Case No. C-10 of 2007, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

The grant of bail will not preclude the complainant to resume conjugal life, if she files such an application before the learned court below then the petitioner will be obliged to comply the undertaking given before this Court.

(Dinesh Kumar Singh, J)

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