

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37296 of 2015

Arising Out of PS.Case No. -226 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

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1. Raju Mandal S/o Nathuni Mandal Resident of Vill- Pachnor, P.S.-
Belsand, Distt- Sitamarhi presently residing at Moh.- Kailashpuri, Gali
No.7, Ward No.9, P.S. Dumra, Distt- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Chandani Devi W/o Raju Mandal Resident of Moh.- Kailashpuri, Gali
No.-7, Ward No.9, P.S. Dumar, distt- Sitamarhi presently residing at Vill.-
Ekma, PS. Hathauri, Distt- Muzaffarpur.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Satyendra Narayan 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.

It is submitted by learned counsel for the petitioner that the petitioner admits the marriage with the complainant and he is ready to keep the complainant and her children as wife with full dignity and honour. Statement to that effect has been made in para- 7 of the petition which reads as follows:-

“That the petitioner is ready to

keep his wife as well as son and daughter
and maintain them with love and affection.”

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 Sub-Divisional Judicial
Magistrate, East Muzaffarpur in connection with Complaint
Case No. 226 of 2014, 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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