

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45791 of 2014

Arising Out of PS.Case No. -2760 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Shish Md. @ Md. Shish Mohammad Son of Ferajuddin Resident of Village
Ghasiaghat, P.S. - Amdabad, District - Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Pyari Khatoon Wife of Shish Mohammad Resident of Village
Olipur, P.S. - Manihari, District - Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Najmul Hoda

For the Opposite Party/s : Mr. Ajit Kumar(App)

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

03/ 17-03-2015

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 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.

On submission of 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 9 of the petition, the notices were issued to the
complainant vide order dated 24.12.2014. In spite of valid service

of notice none appears on behalf of the complainant.

It is submitted by learned counsel for the petitioner that at present complainant is reading with the petitioner. Order dated 09.01.2015 passed by learned Principal Judge, Family Court, Katihar in Maintenance Case No. 949 of 2014 has been produced, which reflects that the maintenance case was disposed of since both complainant and the petitioner appeared and stated before the learned court below that they have settled the dispute.

Considering aforementioned facts, let the above named petitioner be released on anticipatory 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 Judicial Magistrate, Ist Class, Katihar in connection with Complaint Case No. C.A. 2760 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

DKS/-

(Dinesh Kumar Singh, J)

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