

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38499 of 2015

Arising Out of PS.Case No. -4814 Year- 2012 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Devsharan Paswan Son of Late Tetan Paswan Resident of Village -
Bela Chaupawati, P.S. - Sarsi, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sushila Devi D/o- Kamleshwari Paswan, Wife of Devsharan Paswan
Resident of Village - Orlaha, P.S. - Barhara, District - Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. A.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-08-2015 Petitioner being husband of the complainant
is apprehending his arrest in a complaint case wherein
processes were 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.

On instructions, it is submitted by learned
counsel for the petitioner that 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 12 of the petition which reads as follows:-

“That, being husband and father of
children is always ready to keep the opposite party no. 2
with children with full dignity and honour if she desires to

live with petitioner”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Purnea in connection with C.A. Case No. 4814 of 2012.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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