

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38700 of 2015

Arising Out of PS.Case No. -421 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Alakh Narayan Shukla son of Ram Niwas Shukla, Resident of Mohalla
+ P.O- Road Loharpatti, Nimbo Chowk, P.S.- Raxaul, District- East
Champaran (Motihari).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anita Shukla wife of Alakh Narayan Shukla, R/o Mohalla- Pipra
Station, P.S.- Pipra, Distt.- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar
For the Opposite Party/s : Mr. G.S.Gupta(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-08-2015 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 Section 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 ready to keep the complainant as
wife with dignity and honour. A statement to that effect has
been made in para 9 of the petition which reads as follows:-

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

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, Raxaul, East Champaran at Motihari in connection with Complaint Case No. 421 of 2013.

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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