

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46870 of 2014

Arising Out of PS.Case No. -635 Year- 2012 Thana -COMPLAINT CASE District- SUPAUL

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1. Shyam Kamat son of Nunulal Kamat Resident of Mohalla - Supaul
Nagar Parishad Ward No. 19, P.S. AND District - Supaul

.... Petitioner/s

Versus

1. The State of Bihar
2. Sona Devi @ Soni Devi wife of Shyam Kamat resident of Mohalla -
Supaul Veena Road, Supaul, Ward No. 24, P.S. AND District - Supaul

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar

For the Opposite Party/s : Mr. Shailendra Kumar No.1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-04-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Sections 498A and 323 of the Indian Penal Code.

The basic accusation is of torture.

On instructions, it is submitted that the petitioner is ready to keep the complainant as wife with full dignity and honour though no specific statement to the aforesaid effect has been made in the petition.

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 arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Supaul in connection with Complaint Case No. 635C of 2012 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and 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 by the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Anil/-

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