

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43351 of 2015

Arising Out of PS.Case No. -137 Year- 2015 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Md. Safare Alam @ Safre Alam Son of md. Gulam Ansari Resident of
Village- Lichi Fulwari, Sursand Uttari Ps.sursand, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Nasira Khatoon wife of Safare Alam, Daughter of Islam Ansari presently
residing at Village- Chakani Ps. sursand, District Sitmarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Aditya Nr. Singh1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-09-2015 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 process has 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.

Learned counsel for the petitioner submits that the
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 16 of the petition
which reads as follows:-

*“That the petitioner is ready to keep the Opposite
Party no.2 with full dignity and surety as his wife.”*

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Pupri at Sitamarhi in connection with Complaint Case No. C-1/137 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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

(Dinesh Kumar Singh, J)

Amrendra/-

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