

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51769 of 2014

Arising Out of PS.Case No. -914 Year- 2012 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

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Niranjan Paswan Son of Mohan Paswan Resident of Village - Dhokaraha
Pipara Police Station - Ram Nagar, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Nirama Devi Daughter of Chandeshwar Paswan Wife of Niranjan
Paswan at present resident of Village - Bagahi Sakhuani, Police Station
- Gobaradhana, District - West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra

For the Opposite Party/s : Mr. Anand Kishore Choudhary (App)

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

03/ 31-03-2015

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 wherein
processes have been directed to be issued after cognizance being
taken for the offences punishable under Sections 323 and 498A of
the Indian Penal Code.

The basic accusation is of torture.

Notices were issued to the complainant-opposite
party no. 2 vide order dated 05.01.2015 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 7 of the petition, which reads as follows:- **“That it is also relevant to mention here that the petitioner is ready to keep the opposite party no. 2 as the wife with full dignity and affection if opposite party no. 2 is ready to live with the petitioner as wife.”** The petitioner and the complainant are present. The marriage between the petitioner and the complainant having no issue is admitted fact.

The complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 15th of April, 2015 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for one year 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, Bagaha, West Champaran in connection with Complaint Case No. C-914 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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