

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.513 of 2015

Arising Out of PS.Case No. -1450 Year- 2013 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Md. Muslim

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. B.M.P.Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-01-2015

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 cognizance has been taken under Section 498A of the Indian Penal Code.

The accusation is of torture.

On instruction, learned counsel for the petitioner submits that though, the accusation of torture has been levelled after 35 years of marriage but petitioner is ready to keep the complainant as wife with full dignity and honour. A statement has been made in para 9 of the petition which reads as follows:-

“That the petitioner is still ready to keep the complainant with all dignity and honour.”

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 Sub-divisional Judicial Magistrate, Purnea in connection with Complaint C.A. Case No. 1450 of 2013, 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 when on her appearance, the petitioner will take the complainant to her matrimonial house 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 is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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