

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47114 of 2014

Arising Out of PS.Case No. -4545 Year- 2012 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Shamsul Haque

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Anant Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-04-2015 Heard learned counsels for the petitioner, complainant
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 406 and 498A 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. Statement to the aforesaid effect has been made in paragraph 16 of the petition which reads as follows:

“That petitioner is still ready to keep the complainant as his wife with full love....”

Learned counsel for the complainant submits that the

complainant is ready to accept the offer of the petitioner. Both petitioner and the complainant agree to appear before the learned court below on 30.4.2015 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 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 SDJM Purnea in connection with Complaint Case No. 4545 of 2012 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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)

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