

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49760 of 2015

Arising Out of PS.Case No. -466 Year- 2015 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Md. Salim Son of Md. Riyaz Resident of Jhajhiyan, P.S. - Jalalgarh,
District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar

2. Bibi Jinat Praveen Wife of Md. Salim, D/o- Sahabuddin At present
residing of Village - Machaili, P.S. - Jalalgarh, District - Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Mr. Rajendra Nath Jha (App)

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

2 29-10-2015 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have 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.

It is submitted by learned counsel for the petitioner that the petitioner admits the marriage with the complainant

and he is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para- 10 of the petition which reads as follows:-

“That the petitioner is the husband of the complainant and always ready to keep his wife with full dignity and honour but the complainant always wanted to live with this petitioner at her maika. The petitioner showed his inability to live at his sasural.”

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 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 Sub-Judge-Vth-Cum-Additional Chief Judicial Magistrate, Purnea in connection with Complaint Case No. 466 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant 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 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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