

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52358 of 2015

Arising Out of PS.Case No. -2787 Year- 2011 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Munna Das, son of Raj Mangal Das, resident of Village-Chandauli, P.S.-
Belsand, District-Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Khushboo Devi, wife of Munna Das, daughter of Badri Das, resident
of Village-Hajaratpur, P.S.-Meenapur, District-Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyavrat Verma

For the Opposite Party/s : Mr. Ramesh Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-11-2015

Petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were 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.

On instructions, it is submitted by learned counsel for the petitioner that 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 7 of the petition which reads as follows:-

“That the petitioner is husband
of the complainant and is ready to keep the
complainant with full dignity and honour”

It is further submitted that similar was the

stand of the petitioner before learned Court below and petitioner filed an affidavit to that effect before learned Court below which gets reflected from the impugned order also.

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, 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, East, Muzaffarpur in connection with Complaint Case No. 2787 of 2011, Trial No. 1736 of 2015.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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