

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36874 of 2015

Complaint Case No. -282 Year- 2014 Thana -ROHTAS COMPLAINT CASE District- SASARAM
(ROHTAS)

Yogeshwar Singh @ Chotelal Singh

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 10-12-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 323 of the Indian Penal Code.

The basic accusation is of torture.

On instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant. Though, the complainant earlier married with one Krishna Singh but without taking divorce she performed marriage with the petitioner.

However, petitioner is ready to keep the complainant as wife with full dignity and honour. Though statement to that effect has not been made in the petition.

On instruction, learned counsel for the complainant

submits that the complainant accepts the offer of the petitioner and she never married with any other person.

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Sasaram in connection with Complaint Case No.282/2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Both sides shall appear before the learned court below on 15th January, 2016 when 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 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 gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--