

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49685 of 2015**

Arising Out of PS.Case No. -87 Year- 2015 Thana -KRITYANAND NAGAR District- PURNIA

1. Belal @ Belal Sah @ Md. Belal Sah Son of Nasim Sah @ Nasimuddin  
Sah R/o Village Kadgama, P.S. K. Nagar, O.P. Srinagar, District Purnea

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Bibi Heena Khatoon Wife of Belal @ Belal Sah @ Md. Belal Sah, D/o  
Sididique Sah R/o Village Gachhia, P.S. K. Nagar, District Purnea

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajit Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. P.N.Pandit(App)

**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 informant is apprehending his arrest in a case registered for the offences punishable under Sections 498A, 323 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 informant and he is ready to keep the informant as wife

with full dignity and honour. Statement to that effect has been made in para- 9 of the petition which reads as follows:-

“That, the petitioner being the husband of the informant is ready to keep her with love, affection and also with full dignity”.

Moreover, the petitioner has filed Matrimonial Suit No. 38 of 2015 for restitution of conjugal right.

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 Chief Judicial Magistrate, Purnea in connection with K. Nagar (Sri Nagar) P.S. Case No. 87 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 informant on her appearance the petitioner will take the informant 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 informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

**(Dinesh Kumar Singh, J)**

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