

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21483 of 2014

Arising Out of PS.Case No. -225 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Sk. Fakhrudin Alam @ Fakhruddin Ali Ahmad S/o Sk. Mumtaz, R/o
Village- Goriya, P.S. Banjaria, District- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Angoori Begum, W/o Sk. Fakhrudin Alam, R/o Village- Goriya, P.S.
Banjaria, District- East Champaran at present residing at Bhawanipur, P.S.
Nakardehi, District East Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr. Dinesh Singh(APP)

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

6 02-02-2015 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 accusation is of torture.

On instruction it is submitted by learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour. None appears for the complainant. It is further submitted that reconciliation between the petitioner and complainant is at

advance stage. This fact has not been controverted by the learned counsel appearing for the complainant.

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 Judicial Magistrate, Ist Class, Motihari in connection with Complaint Case No. 225(C) of 2013, 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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