

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31635 of 2014

Arising Out of PS.Case No. -504 Year- 2012 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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1. Stayendra Prajapati son of Late Musan Prajapati resident of village Gogari, Police Station Ramgarh, District Kaimur (Bhabhua).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kunti Devi w/o Satyendra Prajapati resident of village Gogari, Police Station Ramgarh, District Kaimur (Bhabhua) at present village Kudhni, Police Station Kudhni, District Kaimur (Bhabhua).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar Shrivastava, Advocate

For the Opposite Party/s : Mr. Aditya Nr. Singh No.1 (APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-02-2015 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.

Though earlier about nine years ago a complaint case was filed by the complainant with accusation of Section

498 of the Indian Penal Code which ended into compromise.

Considering the present stand of the parties, 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, Kaimur at Bhabua in connection with Complaint Case No. 504 of 2012, 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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