

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43811 of 2014

Arising Out of PS.Case No. -1702 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

Rudo Rishi S/O- Late Jaidhar Rishi R/O- Dadpur Gorgama, P.S.- Korha,
Distt.- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ranjana Devi W/o Rudo Rishi, D/o Nand Kishore Rishi, R/o Bari Bhainsdira, P.S. Barari, District – Katihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

05/ 17-03-2015

Heard learned counsels 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 basic accusation is of torture.

On submission of learned counsel for the



petitioner on instruction that the petitioner is ready to keep the complainant as wife with full dignity and honour, the notices were issued to the complainant vide order dated 15.12.2014. In spite of the fact that the complainant has entered appearance through Mr. Ashutosh Kumar Jha, Advocate none appeared on behalf of opposite party no. 2 on 23.02.2015 and none is appearing on her behalf even today.

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, Katihar in connection with Complaint Case No. C.A. 1702 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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