

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51791 of 2014

Arising Out of PS.Case No. -281 Year- 2013 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

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Pintu Prasad Son of Late Nibulal Prasad Resident of Village - Shantinagar
Lauriya, Police Station - Lauriya, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Madhu Devi Wife of Shri Pintu Prasad Resident of village -
Shantinagar Lauriya, Police Station - Lauriya, District - West
Champaran At present resident of village - Jamuniya, Police Station -
Bathuwariya, District - West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Kr.Virendra Narayan(App)

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

ORAL ORDER

03/ 02-04-2015

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 wherein
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.

Notices were issued to the complainant-opposite
party no. 2 vide order dated 05.01.2015 on submission of learned
counsel for the petitioner that the petitioner is ready to keep the

complainant as wife with full dignity and honour. Statement to that effect has been made in para 10 of the petition, which reads as follows:- **“That the petitioner is still ready to keep his wife (complainant) with full honour and dignity.”** The marriage between the petitioner and the complainant and birth of two children are admitted facts.

Counsel for the complainant-opposite party no. 2 submits that the complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 27th of April, 2015 when the petitioner will take the complainant and the children to keep them with full dignity and honour.

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 Sub-divisional Judicial Magistrate, Bagaha, West Champaran in connection with Complaint Case No. 281-C of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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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