

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44890 of 2014

Arising Out of PS.Case No. -368 Year- 2011 Thana -COMPLAINT CASE District- LAKHISARAI

=====

Guddu Paswan S/o Suresh Paswan Resident of Village Belauni, P.S.
Korma, District Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Saroja Devi D/o Sri Jai Prakash Paswan R/o Village Pathla, P.S. &
District Lakhisarai.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

03/ 10-04-2015

This matter has been listed under the heading for
‘Orders’ since registered cover of notices were not served, but Mr.
Om Prakash Maharaj learned counsel submits that he is appearing
on behalf of the complainant.

Heard learned counsels for the petitioner, State
and the complainant.

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 Sections 498A and 323 of
the Indian Penal Code.

The basic accusation is of torture.



Notices were issued to the complainant-opposite party no. 2 vide order dated 18.12.2014 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 8 of the petition, which reads as follows:- **“That it is stated that the petitioner is still ready to keep his wife with full dignity and honour.”**

The factum of marriage between the petitioner and the complainant and birth of a male child are admitted facts.

Both sides agree to appear before the learned court below on 27th of April, 2015 when the petitioner will take the complainant and child 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, Lakhisarai in connection with Complaint Case No. 368C of 2011 , 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)

DKS/-

U		T	
---	--	---	--