

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27771 of 2015

Arising Out of PS.Case No. -357 Year- 2013 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

Uday Chaudhary Son of Radha Chaudhary

.... Petitioner/s

Versus

1. The State of Bihar
2. Tara Devi Wife of Uday Chaudhary and daughter of Nathuni Chaudhary
resident of village - Dumariya Estate Tola Gauripur, P.S. Shikarpur, District
- West Champaran

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Rajeev Nayan(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-07-2015 This file has been brought under the heading "To Be
Mentioned".

It appears that the matter relates to the offences under
section 498A IPC which is being taken on priority basis but it
appears that the mater could not be listed due to wrong
mentioning.

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is
apprehending arrest in a complaint case wherein process has 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, learned counsel for the petitioner submits that the petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 10 of the petition which reads as follows:-

"10. That the petitioner has always been ready to keep her with full dignity and honour, respect and comfort, safety and security, and still undertakes to do so."

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 arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bettiah, West Champaran in connection with Complaint Case No.357-C of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. 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 by learned court below in three eventualities (i) if the matrimonial

harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

Ashwini/-

(Dinesh Kumar Singh, J)

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