

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33625 of 2015

Arising Out of PS.Case No. -645 Year- 2015 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Aditya Kumar @ Birendra Kumar son of Shambhu Nath Singh, resident of
village Sondho Dih, P.S. Goraul District Vaishali (Hajipur).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Madhu Kumari wife of Aditya Kumar @ Birendra Kumar D/O Shambhu
Patel, Resident of village Bakarpur, P.O. Bishnupur P.S. Raja Pakar District
Vaishali (Hajipur).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lovekush Kumar
For the Opposite Party/s : Mr. Indu Bala Pandey (App)

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

03/ 30-11-2015 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
process has 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.

The petitioner and the complainant are present in
the Court.

It is submitted by learned counsel for the

petitioner that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph 11 of the petition, which reads as follows:-

“That still the petitioner is ready to keep her with him at Delhi where he is in job or at his home wherever she likes to live.”

Counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 12th December, 2015 when the petitioner will take the complainant to keep her as wife 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 Judicial Magistrate, Ist Class, Vaishali at Hajipur in connection with Complaint Case No. C-1-645 of 2015, 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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