

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.36366 of 2015**

Arising Out of PS.Case No. -4603 Year- 2014 Thana -PURNIA COMPLAINT CASE District-  
PURNIA

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1. Firoz Shah son of Quddus Shah, Resident of village- Mathour, Police  
Station- Kasba, District- Purnia.

.... .... Petitioner/s

Versus

1. The State of Bihar

2. Praween Khatoon wife of Firoz Shah, Resident of village- Zeromile  
Kabristan Tola, Police Station- Sadar, District- Purnea.

... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Md. Hussain, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Pd.(App)

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

**ORAL ORDER**

2      18-08-2015

Heard learned counsel 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 instruction it is submitted by learned  
counsel for the petitioner that the petitioner admits the  
marriage with the complainant and he is ready to keep  
the complainant as wife with full dignity and honour.  
Statement to that effect has been made in para- 9 of the  
petition which reads as follows:-

“That the petitioner is always  
ready to keep his wife with full dignity and

respect.”

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 Sri Nand Kishore, Judicial Magistrate, Ist Class, Purnea in connection with Complaint Case No. 4603 of 2014, 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)**

P.K./-

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