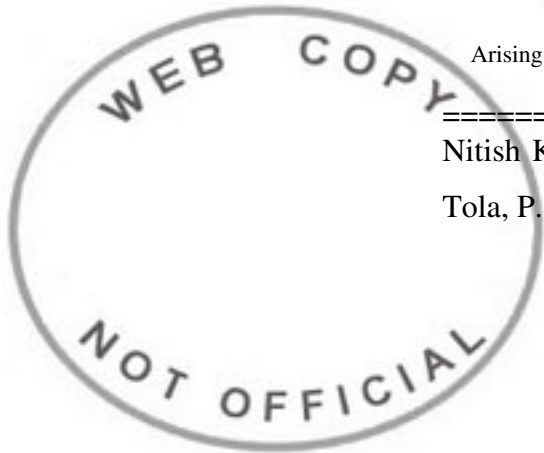


IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37406 of 2015



Arising Out of PS.Case No. -517 Year- 2013 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

=====

Nitish Kumar, S/o Chando Prasad Thathera, resident of Daya Chack Naya
Tola, P.S.- Barh, District- Patna

.... Petitioner/s

Versus

1. State of Bihar
2. Ragni Devi, D/o Doman Prasad, resident of Barsaliganj, P.S.-
Barsaliganj, District- Nawada at present resident of Sohan Kuar Bharao
for P.s.- Biharsharif, District- Nalanda

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh(App)

=====

**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 Sections 498A, 323, 406 and 379 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 was always ready and still ready to keep her wife with full dignity honour and respect rather complainant herself does not want to live with her husband.”

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 Sub-Divisional Judicial Magistrate, Nalanda at Bihar Sharif in connection with Complaint Case No. 517C of 2013, 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./-

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