

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52524 of 2015

Arising Out of PS.Case No. -2288 Year- 2013 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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Manohar Prasad, son of Dhruv Prasad, resident of Village-Fuliyakhand,
P.S.-Bairiya, District-West Champaran

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Arbind Kumar Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-11-2015 Petitioner being husband of the complainant
is apprehending his arrest in a complaint case wherein
processes were 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 instructions, it is submitted by learned
counsel for the petitioner that petitioner admits his marriage
with the complainant and has filed Matrimonial Suit No. 297 of
2013 for restitution of conjugal right. 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 12 of the
petition which reads as follows:-

“That, the petitioner is still
ready to keep the complainant with full honour,
dignity and affection”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 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. 2288C of 2013.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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