

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56990 of 2015

Arising Out of PS.Case No. -563 Year- 2013 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Md. Salam Son of Md. Umar Sah Resident of Village- Masladapur,
Police Station-Bihpur, in the district of Bahgalpur..

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Ronak Khatoon W/o Md. Salam and D/o Md. Rajjak Resident of
sohgiya, Police Station Bhawanipur, in the district of Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 17-12-2015 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Sections 498A and 406 of the Indian Penal Code.

The basic accusation is of torture.

On instruction it is submitted 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 the aforesaid effect has been made in paragraph no. 14 of the petition which reads as follows:

“ That it is humbly submitted that petitioner is always ready to keep the O.P. No. 2 as his wife with full love and affection and maintained her.”

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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Purnea in connection with Complaint Case No. 563 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 and 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 the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court

below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.



Anil/-

(Dinesh Kumar Singh, J)

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