

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35425 of 2015

Arising Out of PS.Case No. -1569 Year- 2012 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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Sandeep Kumar @ Banti

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parmanand Pd. Nr. Sahi, Advocate

For the Opposite Party/s : Mr. Smt. Anita Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-08-2015

Heard learned counsels for the petitioner, informant and the
State.

The petitioner being the husband of the complainant is
apprehending 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 accusation is of torture.

Learned counsel for the petitioner submits that the
petitioner admits his marriage with the complainant. On instruction,
he further submits that 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 10 of the petition which reads as follows:-

*"10. That the petitioner is still ready to keep her with full
dignity and honour."*

Learned counsel for the petitioner further submits that the

complainant has filed Matrimonial Case No.225 of 2012 for divorce, a statement to that effect has been made in para 8 of the petition.

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Nalanda at Bihar Sharif in connection with Complaint Case No.1569 C of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. 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 learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Ashwini/-

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