

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43468 of 2015

Arising Out of PS.Case No. -439 Year- 2015 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Krishna Singh @ Krishna Kumar Singh Son of Bipat Singh
2. Chandan Singh @ Chandan Kumar Singh Son of Bipat Singh Both
Resident of Village - Tajganj, P.S.- Katihar Town, District - Katihar

.... Petitioner/s

Versus

1. The State of Bihar null null
2. Nimal Devi Wife of Krishna Sigh, Daughter of Gauri Prasad Mandal
Resident of Village - Kantakosh, P.O.- Kantakosh, P.S.- Manihari, District -
Katihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Prasad Mandal

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-09-2015

Heard learned counsels for the petitioner and the State.

The petitioner no.1 being the husband of the complainant and petitioner no.2 being the brother of petitioner no.1 are apprehending arrest in a complaint case in which process has 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.

Learned counsel for the petitioner submits that the petitioner no.1 admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 9 of the

petition which reads as follows:-

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

Considering the present stand of the petitioner no.1, let the above named petitioner no.1 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 SDJM, Katihar in connection with C.A. Case No. 439 of 2015, 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.

Considering the present stand of the petitioner no.1, let

the above named petitioner no.2 be released on anticipatory bail 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 SDJM, Katihar in connection with C.A. Case No. 439 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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