

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27207 of 2015

Arising Out of PS.Case No. -298 Year- 2015 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Md. Alim Son of S.K. Ajabul resident of village - Channi Police Station -
Baisi, District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Afasana Khatoon D/o Md. Manjoor, Wife Md. Alim resident of
village - Channi Police Station - Baisi, District - Purnea

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikram Singh
For the Opposite Party/s : Mr. Asha Devi(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 22-07-2015 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 Section 498A of the Indian

Penal Code.

The basic accusation is of torture.

The petitioner admits marriage with the

complainant. On instructions, it is submitted that the

petitioner is ready to keep the complainant as wife with

full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 9 of the petition the relevant portion of which reads as follows:

“That it is humbly stated that the petitioner is still ready and willing to accept the complainant as wife with full honour and dignity

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 JM 2nd Class, Purnea in connection with Complaint Case No. 298 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 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.

(Dinesh Kumar Singh, J)

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