

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6021 of 2015

Arising Out of PS.Case No. -453 Year- 2013 Thana -COMPLAINT CASE District- SUPAUL

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1. Md. Sahbir Alam Son of Abdul Hai Resident of Village- Kochgabha,
P.S.- Birpur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mehrun Nisha D/o Wajib Ali Resident of Village- Salakhpur, Handarpur
Ward No. 5, P.S.-Belbari, District- Morang(Nepal).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha, Advocate
For the Opposite Party/s : Mr. Shailendra Kr.Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-02-2015 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have 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.

On instruction it is submitted by learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour.

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 his arrest or

surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Birpur (Supaul) in connection with Complaint Case No. 453C of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant 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 within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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