

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13534 of 2015

Arising Out of PS.Case No. -715 Year- 2012 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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Mukesh Kumar son of Rajendra Singh

.... Petitioner/s

Versus

1. The State of Bihar

2. Sangita Devi W/o Mukesh Kumar Daughter of Ratan Singh,

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajib Ranjan Jha, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 07-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case 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 basic accusation is of torture.

Marriage between the petitioner and the complainant and birth of two children are admitted facts.

It is submitted by learned counsel for the petitioner that subsequent to lodging of the present case the complainant lodged Akbarpur P.S. Case No.154 of 2012 with similar accusation under section 232/498A of the Indian Penal Code wherein the petitioner was granted regular bail vide Criminal Miscellaneous No. 43311 of 2012 with a condition either to keep the complainant or to pay maintenance of Rs.1000/-. However, the petitioner is still ready to keep the

complainant as wife with full dignity and honour.

Learned counsel for the complainant submits that the complainant accepts the offer of the petitioner.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Nawad in connection with Complaint Case No. 715 of 2012 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Both sides shall appear before the learned court below on 1st June 2015 when 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)

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