

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45134 of 2014

Arising Out of PS.Case No. -1065 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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1. Md. Firoj Ansari @ Firoj Ansari son of Allauddin Ansari resident of
village - Madani tola, Dhaka, P.S. Dhaka, District - East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Maibul Khatoon

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Mishra

For the Opposite Party/s : Mr. Arun Kr.Panday(App)

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

ORAL ORDER

3 16-04-2015 Heard learned counsels for the petitioner, complainant
and the State.

The petitioner being the husband of the complainant is
apprehending arrest in a case registered for the offence under
section 498A of the Indian Penal Code.

The basic accusation is of torture.

Notices were issued to the complainant vide order dated
18.12.2014 on the submission of learned counsel for the petitioner
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 9 of the petition, relevant portion of which
reads as follows:

“That the petitioner is ready to keep the wife with full efficiency and dignity”

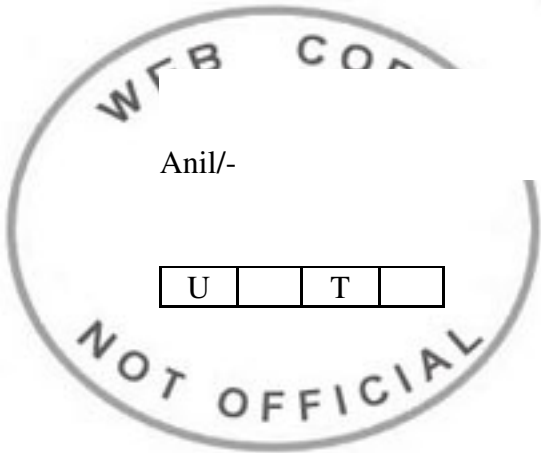
The factum of marriage between the petitioner and the complainant having a male child is admitted fact.

The complainant is present and she is ready to accept the offer of the petitioner. Both petitioner and the complainant agree to appear before the learned court below on 11.5.2015 when the petitioner will take the complainant and child to keep them with full dignity and honour.

Considering the present stand of the parties, 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 SDJM, Sikerhana at Motihari in connection with Complaint Case No. C-1065 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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.



Anil/-

(Dinesh Kumar Singh, J)