

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15987 of 2015

Arising Out of PS.Case No. -2069 Year- 2011 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Jamaluddin Son of Md. Sultan R/o Village - Baisa, P.S. Rauta, District -
Purnea.

.... Petitioner

Versus

1. The State of Bihar.
2. Matila Khatoon W/o Jamaluddin, D/o Md. Abbas R/o - Village
Rasulganj, P.S. Amour, Distt. Purnia.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Md. Helal Ahmad
For the Opposite Parties : Mr. Gajendra Pd. Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-04-2015 Petitioner being husband of the complainant
is apprehending his arrest in a complaint case wherein
processes have been directed to be issued after cognizance
being taken for the offences punishable under Section 498A of
the I.P.C.

The basic accusation is of torture.

On instructions, it is submitted by learned
counsel for the petitioner that complainant is still residing with
the petitioner and petitioner is ready to keep the complainant
as wife with full dignity and honour. A statement to that effect
has been made in para 11 of the petition which reads as
follows:-

“That the allegation of ousting
complainant from the house is false because the

complainant is still residing with the petitioner with full dignity and honour.....”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Purnea in connection with Complaint Case No. 2069 of 2011.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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