

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46943 of 2014

Arising Out of PS.Case No. -573 Year- 2012 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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1. Santosh Kumar S/o Jawahir Singh Resident of Village Okhara, P.S. Chainpur, District Kaimur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shushama Devi W/o Santosh Kumar, D/o Deobachan singh Resident of Village Azagara, P.S. Kudra, District Kaimur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arabind Nath Pandey
For the Opposite Party/s : Mr. Sanjay Kr. Tiwary No.1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-04-2015 Heard learned counsels for the petitioner and

the State.

The petitioner being the husband 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.

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. 7 of the petition, relevant portion of which reads as follows:

“That the petitioner is husband and ready to keep her as wife.....”

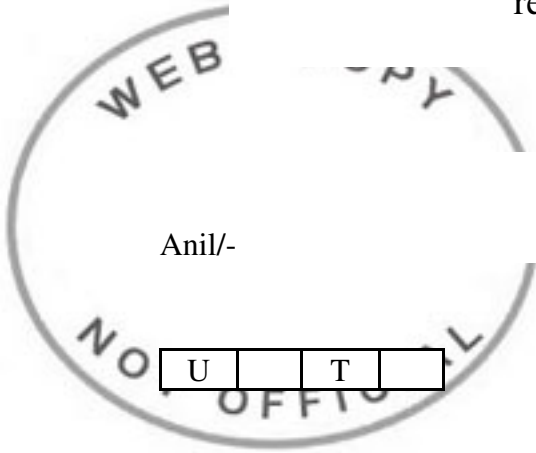
Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Kaimur at Bhabua in connection with Complaint Case No. 573 of 2012 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)