

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49007 of 2014

Arising Out of PS.Case No. -929 Year- 2012 Thana -BHABHU(KAIMUR) COMPLAINT C
District- BHABHUA (KAIMUR)

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Anwar Shain, Son of late Amin Shain resident of village - Faridpur, P.S. -
Dildar Nagar, District - Ghazipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shahana Khatoon, wife of Anwar Shain, daughter of Shafique Shain
resident of village - Sasaura, P.S. - Ramgarh, District - Kaimur at Bhabua.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ Manu, Advocate
For the Opposite Party/s : Mr. Rina Sinha, APP

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

2 09-02-2015 Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the complainant is
apprehending his arrest in a complaint case for the offences
punishable under Section 498A of the Indian Penal Code.

Basic accusation is of torture.

On instruction, it is submitted by the leaned counsel for
the petitioner that the petitioner is ready to keep the complainant
as wife with full dignity and honour. A statement to the effect is
mentioned in paragraph 8 of the petition, which reads as follows :

“8. That, it is humbly submitted
and categorically stated that the petitioner
assert that he is still ready to keep to the
complainant with full love and dignity.”

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 bond of Rs.10,000/-(Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Kaimur at Bhabua, in connection with Complaint Case No.929 of 2012 (Trial No.2617 of 2014), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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 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 below.

(Dinesh Kumar Singh, J)

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