

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15364 of 2015

Arising Out of PS.Case No. -361 Year- 2013 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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Md. Reyaz @ Md. Reyaz Rain @ Lal Son of Azazul Rain resident of
Village- Barahi, P.s- Parihar, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

2. Sabudha Khatoon wife of Md. Reyaz @Md. Reyaz Rain@Lal resident of
vilalge- Barahi, P.s- Parihar, District- Sitamarhi, presently residing with her
Father Md. Abdul Hakim, resident of Village- Hisar, P.s- Khirahar, District-
Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar No 13, Advocate

For the Opposite Party/s : Mr. Veena Rani Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-04-2015

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 Sections 498A, 406 and 420 of the Indian Penal
Code.

The basic accusation is of torture.

On instruction, learned counsel for the petitioner
submits that the petitioner is ready to keep the complainant as wife
with full dignity and honour. A statement to that effect has been
made in para 8 of the petition which reads as follows:-

*"8. That the petitioner is ready to keep
the complainant with full dignity and honour."*

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Madhubani in connection with C.R. No.361 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. 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 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)

Ashwini/-

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