

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7780 of 2015

Arising Out of PS.Case No. -3305 Year- 2013 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Md. Maslehuddin S/o Md. Wajid Resident of Village Lalkuriya, P.S.
Kumarkhand, District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sajina Khatoon W/o Md. Maslehuddin, D/o Md. Sultan Resident of
Village Mirchaibari, P.S. Jankinagar, District Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Shyam Bihari Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 26-02-2015

Heard learned counsels for the petitioner and

the State.

The petitioner being the husband of the

complainant is apprehending his arrest in a complaint case in

which processes have been directed to be issued after cognizance

being taken for the offences punishable under Sections 498A and

379 of the Indian Penal Code.

The basic accusation is of torture.

On instruction it is submitted by learned

counsel for the petitioner that the petitioner is ready to keep the

complainant as wife with full dignity and honour. Statement to



that effect has been made in para 7 of the petition, which reads as follows:- **“That, the petitioner, who is happens to be husband of the complainant, has fully aware his duty and responsibility and he always tried his best to resume his happy conjugal life and always assured the complainant to give her all dignity, love & affection as a wife desire but she is not ready.”**

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 bonds 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. 3305 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant 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.

(Dinesh Kumar Singh, J)

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