

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2749 of 2015

Arising Out of PS.Case No. -26 Year- 2014 Thana -COMPLAINT CASE District- BANKA

Vikki Kumar Son of Sitaram Mandal Resident of Village - Mirjapur, Police
Station - Shambhuganj, District - Banka.

.... Petitioner/s

Versus

- 1. The State of Bihar.
- 2. Yashoda Devi D/o Dinesh Mandal, Resident of Village - Bachhni, Police
Station - Amarpur, District - Banka.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee
For the Opposite Party/s : Mr. Ramesh Chandra(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH

ORAL ORDER

02/ 21-01-2015 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 Section 498A 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 8 of the petition. Similar was the stand of the petitioner before the learned court below, but the complainant refused to accept the offer of the petitioner.

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, Banka in connection with Complaint Case No. 26 of 2014, 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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