

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7256 of 2015

Arising Out of PS.Case No. -6 Year- 2014 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

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1. Sulendra Sahani S/o Late Yogi Sahni Resident of Village Narayanpur,
P.S. Mani Gakshi, District Darbhanga.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Maruth Nath Roy

For the Opposite Party : Mr. U.S.P.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 08-05-2015

Petitioner being husband of the complainant

is apprehending his arrest in a complaint case wherein
processes were directed to be issued after cognizance being
taken for the offences punishable under Sections 406 and 498A
of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the
petitioner that petitioner is ready to keep the complainant as
wife with full dignity and honour, though statement to that
effect has not been made in the petition. The complainant
earlier had also filed a complaint with similar accusation
against the petitioner which ended into compromise.

The marriage between the petitioner and the
complainant and birth of a female child are admitted facts.

The notices were issued to the
complainant/O.P. No. 2 vide order dated 23.02.2015 but it

appears that none has appeared in spite of service of notice.

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, 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, Benipur, Darbhanga in connection with Complaint Case No. 6 of 2014.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

Shageer/-

(Dinesh Kumar Singh, J)

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