

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31574 of 2015

Arising Out of PS.Case No. -2962 Year- 2012 Thana -SARAN COMPLAINT CASE District-
SARAN

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Santosh Kharwar, son of Satyanarayan Kharwar, resident of Village-
Madhopur Tarenawa, P.S.-Siswan, District-Siwan

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. B.Ram (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-08-2015 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 498A of the
Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the
petitioner that petitioner has filed Matrimonial Case No. 104 of
2012 for restitution of conjugal life and he 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:-

“That the petitioner is husband of
the complainant and he is ready to keep his wife with full
dignity and honour”

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, Saran at Chapra in connection with Complaint Case No. 2962 of 2012, Trial No. 1965 of 2015.

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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