

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37487 of 2015

Arising Out of PS.Case No. -164 Year- 2014 Thana -MUNGER COMPLAINT CASE District-
MUNGER

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1. Suman Kumar Son of Suresh Prasad Sah resident of village - Ramla, P.S. - Godda, District - Godda (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Barkha Kumari Wife of Suman Kumar resident of village - Ramla, P.S. - Godda, District - Godda (Jharkhand) presently resides daughter of Saudagar Sah, Village - Sadar Bazar Khalasi Mohalla, P.S. - Jamalpur, District - Munger.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jyoti Ranjan Jha, Advocate

For the Opposite Party/s : Mr. Md.Sufiyan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-08-2015 Heard learned counsel 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.

It is submitted by learned counsel for the petitioner that the petitioner admits the marriage with the complainant and he is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para- 9 of the petition which reads as follows:-

“That it is respectfully stated

and submitted that petitioner is ready to keep his wife with full care, respect, comfort and dignity.”

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 Sri Sumit Kumar Singh, Judicial Magistrate, Ist Class, Munger in connection with Complaint Case No. 164C 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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