

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49293 of 2015

Arising Out of PS.Case No. -64 Year- 2015 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

=====

Md. Neyaz, S/o Asghar Ali Nadaf @ Asghar Ali, resident of village-
Karavni, P.S.-Singhwara, District- Darbhanga

.... Petitioner/s

Versus

1. State of Bihar
2. Mazda Khatoon, W/o Md. Neyaz, village Karavni, P.S.- Singhwara,
District- Darbhanga, at present residing at D/o Md. Badrul Hasan,
village- Chandradeepa, P.S.- Jalley, District- Darbhanga

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dharmendra Jha, Advocate

For the Opposite Party/s : Mr. Smt. Asha Devi (App)

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 16-10-2015 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 wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 504, 498A/34 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 has not performed second

marriage. The petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para- 14 of the petition which reads as follows:-

“That the petitioner again reiterates that he is ready to keep complainant with full 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 Chief Judicial Magistrate, Darbhanga in connection with Complaint Case No. 64 of 2015, 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)

P.K./-

U		T	
---	--	---	--