

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31928 of 2015

Arising Out of PS.Case No. -215 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Vinayak Sinha Son of Sen Kumar Sinha resident of Ekta Nagar, ESIC
Colony, P.S. Digha, Nasriganj, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Anuradha Sinha Wife of Vinayak Sinha, Daughter of Satish Kumar
Lala resident of Mohalla - Mogalpura Barkat Khan Ka Akhara, P.S.
Khajekalan, District - Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gautam Kumar Kejriwal
For the Opposite Party/s : Mr. Akbar Ali(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-08-2015 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 Section 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 Suit No. 5414 of
2014 for restitution of conjugal life.

On instructions, it is submitted by learned
counsel for the petitioner that petitioner is ready to keep the
complainant as wife with full dignity and honour. A statement
to that effect has been made in para 14 of the petition. The

relevant portion of which reads as follows :-

“That the petitioner has always been intending to keep the complainant with full honour and dignity.....”.

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 Additional Chief Judicial Magistrate, Patna City in connection with Complaint Case No. 215 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.

(Dinesh Kumar Singh, J)

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