

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34131 of 2014

Arising Out of PS.Case No. -499 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Angad Pandit Son of Yogendra Pandit Resident of Village- Baghari, P.S.-
Sursand, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar null null
2. Sanita Devi Wife of Angad Pandit, daughter of Musafir Pandit Resident
of Village- Choraut, P.S.- Pupari, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar No. 1 (APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 27-03-2015 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 accusation is of torture.

On instruction it is submitted by learned counsel for the petitioner that the petitioner 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.

A supplementary affidavit has been filed that the

petitioner has not performed second marriage.

Learned counsel for the complainant submits that the petitioner has also filed a Matrimonial Suit No. 192 of 2013 for divorce.

Learned counsel for the petitioner submits that the petitioner will withdraw the aforesaid suit.

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 15th of April, 2015.

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 Sub-Divisional Judicial Magistrate, Pupari at Sitamarhi in connection with Complaint Case No. C-1/499 of 2013, 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.

The provisional bail will not be confirmed with substantive proof comes that the petitioner has performed second marriage.

(Dinesh Kumar Singh, J)

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