

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17602 of 2015

Arising Out of PS.Case No. -521 Year- 2013 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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Sanjay Kumar Singh @ Sanjay Singh

.... Petitioner/s

Versus

1. State of Bihar,
2. Reena Devi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeshwar Singh

For the Opposite Party/s : Mr. Renu Kumari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-05-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Sections 323, 498A and 504 of the Indian Penal Code.

The basic accusation is of torture. The factum of marriage between the petitioner and the complainant is admitted.

It is submitted by learned counsel for the petitioner that earlier also case was lodged by the complainant with similar accusation. However, on

instructions, it is submitted that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 9 of the petition which reads as follows:

“That the petitioner undertakes to keep the complainant as his wife with full dignity and honour.”

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 arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Aurangabad in connection with Complaint Case No. 521 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and 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 by the learned court below in three eventualities – (i)



if the matrimonial harmony is substantially restored or (ii)
if the complainant fails to appear before the learned court
below or (iii) if the complainant deliberately gets reluctant
to reconcile the issue.

(Dinesh Kumar Singh, J)

Anil/-

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