

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.26308 of 2015**

Arising Out of PS.Case No. -3897 Year- 2014 Thana -VAISALI COMPLAINT CASE District-  
VAISHALI(HAJIPUR)

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1. Shailesh Rai @ Shaileshwar Rai S/o Nagendra Rai Resident of village -  
Minapur, Kaunhara Ghat Road, P.S. Town, Hajipur, District - Vaishali

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Reena Devi W/o Shailesh Rai, S/o Nagendra Rai Resident of village -  
Minapur, Kaunhara Ghat Road, P.S. Town, Hajipur, District - Vaishali, At  
present Residing at her naiher with father, namely, Umesh Rai village -  
Eraji Sahwajpur, P.S. Sadar, Hajipur, District - Vaishali

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Satya Prakash Sinha

For the Opposite Party/s : Mr. Parmanand Kumar(App)

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

ORAL ORDER

2      17-07-2015                      Heard learned counsels for the petitioner and  
  
the State.

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

The basic accusation is of torture.

The petitioner admits his marriage with the  
complainant. 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. 11 of the petition which reads as follows:

“That, the petitioner, being a responsible husband, is ready to keep and maintain the complainant/wife with dignity and honour, safety and security.”

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 JM Ist Class, Vaishali at Hajipur in connection with Complaint Case No. 3897 of 2014 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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