

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24408 of 2015

Arising Out of PS.Case No. -517 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Md. Jahid @ Md. Zahid. S/o Md. Ahmad Hussain. Resident of Village -
Lalganj Maula Ali Bazar Naka No.1, Post + P.S.- Lalganj, District -
Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sazda Khatoon. S/o Md. Kalam. Resident of village - Narokala, P.S.-
Tisiauta, District - Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar
For the Opposite Party/s : Mr. R.B.Rai Raman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

03/ 12-10-2015 Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case wherein
process has been 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 the petitioner admits his marriage with the
complainant and birth of a male child. The petitioner is not

insisting about the alleged oral Talak made earlier. No matrimonial suit for divorce has been filed, though, wrong submission to that effect was made earlier which was recorded in order dated 29.06.2015.

The petitioner and the complainant are present.

It is further submitted by learned counsel for the petitioner that the petitioner to keep the complainant as wife with full dignity and honour at his place of employment. Though, statement to that effect has not been made in the petition.

Counsel for the complainant submits that the complainant accepts the offer of the petitioner.

Both sides agree to appear before the learned court below on 27th of October, 2015 when the petitioner will take the complainant and the child to keep them with full dignity and honour.

Considering the present stand of the parties, 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, Vaishali at Hajipur in connection with

Complaint Case No. 517 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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)

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