

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24806 of 2015

Arising Out of PS.Case No. -3629 Year- 2010 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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1. Md. Riyazul Haque @ Rizzo @ Md. Riyazul Son of Abdul Majid
resident of village - Tarouni, P.S. Dhamdaha, District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Afasena Khatoon Wife of Md. Riyazul Haque, Daughter of Late
Zahir resident of Mogal Toli, Adampur, P.S. K. Nagar, District - Purnea

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. A.L.Pandit(App)

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

ORAL ORDER

2 08-07-2015

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 basic 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-
11 of the petition. Marriage between the petitioner and
complainant and having one daughter is admitted by the
petitioner.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months 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, Purnea in connection with Complaint Case No. C.A.3639 of 2010, 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 six months 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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