

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38418 of 2015

Arising Out of PS.Case No. -1142 Year- 2015 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Om Prakash Kumar @ Ram Rekha Bhagat son of Madan Bhagat
Resident of Village- Mathna Milk, P.s Goraul, district vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sobha Devi W/o Om Prakash kumar@Ram Rekha Bhagat,D/o Lal babu
singh Resident of Village- Khatrichak, P.s- Mahua, District vaishali, At
present Mahavirganj, P.s - Parsathua (kochas0), District Rohtas

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh
For the Opposite Party/s : Mr. Parmanand Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-08-2015 The petitioner being husband of the

complainant is apprehending his arrest in a complaint case

wherein processes were 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 on instruction that petitioner admits his marriage
with the complainant and is ready to keep the complainant as
wife with full dignity and honour. A statement to that effect has
been made in para 9 of the petition which reads as follows:-

“That the petitioner is ready
to keep the complainant with full dignity.”

It is submitted by learned counsel for the complainant that complainant is ready to accept the offer of the petitioner provided petitioner keeps her with dignity and honour.

Both sides agree to appear before learned Court below on 1st of October, 2015, when the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Hajipur Vaishali in connection with Complaint Case No. 1142 of 2015, Trial No. 4611 of 2015.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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