

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39543 of 2015

Arising Out of PS.Case No. -82 Year- 2013 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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Parmeshwar Mahto, son of Haripal Mahto, resident of Village-Ashapatti,
Tola Brahamotar, Police Station-Khutaun, District-Madhubani

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhukar Pandey

For the Opposite Party/s : Mr. M.Rub(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-08-2015 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 Sections 498A, 34 of
the Indian Penal Code.

The basic accusation is of torture.

On instructions, it is submitted by learned
counsel for the petitioner 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 10 of the petition which reads as follows:-

“That on the other hand petitioner
was keeping the complainant(opposite party No. 2) with full
dignity and now also he is ready to keep her(complainant)
with full dignity”

Considering the present stand of the

petitioner, 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 Sub-Divisional Judicial Magistrate, Jhanjharpur, Madhubani in connection with C.R. No. 82 of 2013, T.R. No. 2190 of 2014.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

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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