

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52611 of 2015

Arising Out of PS.Case No. -2027 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Md. Afroj @ Guddu, son of Md. Jumrati, resident of Village-Bakatpur Nasi
Tola, P.S.-Kanti, District-Muzaffarpur

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. Navin Kr.Panday(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-11-2015

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 Section 498A 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 birth of a female child and is ready to keep the complainant and the children 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 complainant and her daughter who are wife and his daughter respectively at his paternal house with full honour and dignity according to his strength and

status”

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 Judicial Magistrate, 1st Class, Muzaffarpur in connection with Complaint Case No. 2027 of 2013, Trial No. 5347 of 2015.

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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