

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33758 of 2015

Arising Out of PS.Case No. -3668 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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Vikash Kumar @ Lal Bahadur @ Dhurendra

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kripanand Kumar Prabhakar

For the Opposite Party/s : Mr. Manish Kumar 2(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 323 and 504/34 of the Indian Penal Code.

The basic accusation is of torture after ten years of the marriage.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant. The petitioner filed Matrimonial Case No. 61 of 2014 for restitution of conjugal life and is still ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 14 of the petition which reads as follows:-

“That the petitioner is ready to keep the

complainant with full dignity and honour and also to maintain to her.... ”

Learned counsel for the complainant submits that though the complainant is apprehensive due to past conduct of the petitioner but she is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 30th of September, 2015 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna in connection with Complaint Case No. 3668C of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The grant of bail to the petitioner will not preclude the complainant to file an application for cancellation of bail of the petitioner if the petitioner violates the undertaking given before this Court.

(Dinesh Kumar Singh, J)

Amrendra/-

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