

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51248 of 2015

Arising Out of PS.Case No. -378 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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Shatrughan Prasad @ Shatrughan Sah

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-11-2015 Heard learned counsels for the petitioner and the State.

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

The basic accusation is of torture after 42 years of the marriage. It is specifically alleged that the petitioner did not give any penny from Rs. 17 lacs received as proceed of the sale of the land.

Learned counsel for the petitioner submits that the 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 15 of the petition

which reads as follows:-

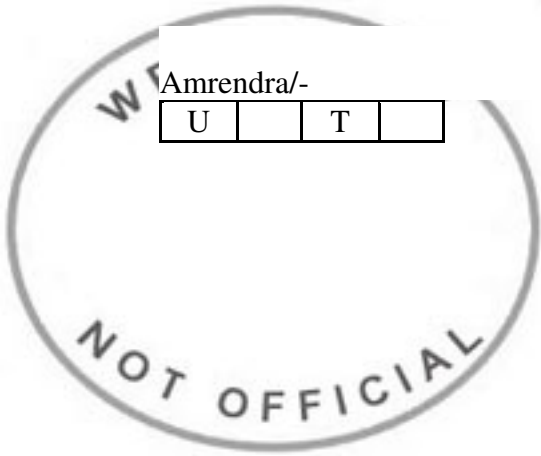
“That it is stated that the petitioner is taking care of the complainant as her wife since the date of marriage even till today and the petitioner further undertakes that he will also take care in future with full dignity and surety.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year 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 SDJM, Pupri at Sitamarhi in connection with Complaint Case No. C-1/378 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. 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 by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or

(iii) if the complainant gets reluctant to reconcile the issue.



Amrendra/-

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(Dinesh Kumar Singh, J)