

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52372 of 2015

Arising Out of PS.Case No. -1351 Year- 2012 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Rabindra Kumar @ Birendra Kumar, son of Sri Nathu Mahto, resident of
Village-Mohanpur, P.S.-Kudhani(O.P. Turki) District-Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Murat Devi wife of Ravindra Kumar @ Birendra Kumar, daughter
of Late Ram Ekbal Mahto, resident of Village/P.O-Rampur Bhari
Yahi, P.S.-Kathaiya District-Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-11-2015

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 is ready to keep the complainant as
wife with full dignity and honour. A statement to that effect has
been made in para 7 of the petition which reads as follows:-

“That it is stated that petitioner

never demanded dowry nor subjected the complainant
to torture and cruelty rather petitioner is ready to keep
the complainant with all 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 Judicial Magistrate, 1st Class, Muzaffarpur in connection with Complaint Case No. 1351 of 2012.

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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