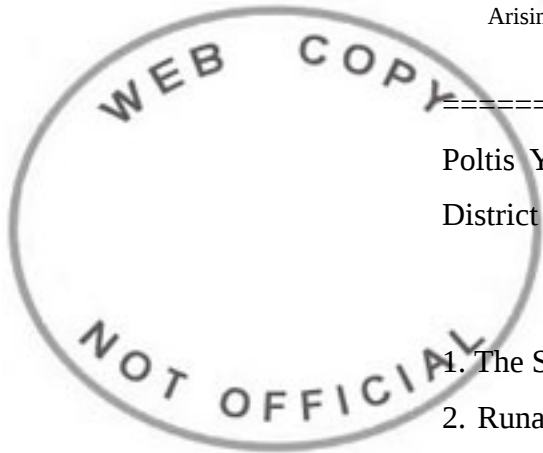


IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35358 of 2015

Arising Out of Complaint Case No. -364 Year- 2015 Thana -PURNIA COMPLAINT CASE
District- PURNIA



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Poltis Yadav son of Bilash Yadav R/o villae - Lila, P.S. - Bhawanipur,
District - Purnea.

..... Petitioner/s

Versus

- 1. The State of Bihar.
- 2. Runa Devi wife of Poltis Yadav R/o Village - Lila, P.S. - Bhawanipur,
District Purnea presently residing at village - Ganeshpur, P.S. - K.Nagar,
District - Purnea.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan, Advocate
For the Opposite Party/s : Mr. Sanjay Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-08-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been 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 instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the

complainant and he is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph 8 of the petition which reads as follows :-

"8. That the learned Sessions Judge simply rejected the prayer for bail of the petitioner though the petitioner was ready to keep her with full dignity and respect."

Similar was the stand of the petitioner before the learned court below but the complainant, in spite of notices being issued, chosen not to appear.

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 Chief Judicial Magistrate, Purnea in connection with Complaint Case No.364 of 2015, 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.

(Dinesh Kumar Singh, J)

Ashwini/-

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