

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4567 of 2016

Arising Out of PS.Case No. -754 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

Vinod Kumar

.... Petitioner/s

Versus

1. State of Bihar,
2. Kalpana Kumari

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash

For the Opposite Party/s : Mr. Ashraf Ansari(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2016 Learned counsel for the petitioner is permitted to
make necessary correction in the petition, as prayed for.

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 processes were directed to be issued after cognizance
being taken under Sections 323,506 and 498A of the Indian
Penal Code.

The basic accusation is of torture.

On instruction it is submitted that the petitioner
admits his marriage with the complainant and is ready to
keep the complainant as wife with full dignity and honour.

Statement to the aforesaid effect has been made in paragraph no. 9 of the petition which reads as follows:

“That despite of the fact as contained in the preceding paragraph, the petitioner is still ready to keep the complainant (O.P. No. 2) as his legally wedded wife with him with all dignity, respect and honour. ”

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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Danapur in connection with Complaint Case No. 754C 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 and 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 the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if



the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Anil/-

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