

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7273 of 2016

Complaint Case No. -2284 Year- 2011 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

Akshaywat Kumar @ Akshaywat Prasad Singh son of Late Raghaw
Narayan Singh,

.... Petitioner/s

Versus

1. The State of Bihar
2. Chandrakala Devi' W/o Akshaybat Kumar @ Akshaybat Prasad Singh,

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate

For the Opposite Party/s : Mr. Atul Chandra(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-02-2016 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 Section 498A of the Indian Penal
Code.

Basic accusation is of torture.

Heard learned counsels for the petitioner and the State.

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. A statement to that effect has been made in para 9 of the petition which reads as follows:-

"9. That it is also submitted that no offence as alleged has been committed by the petitioner or by the sons rather the petitioner is ready to keep the complainant with full dignity and respect whereas the complainant herself due to misunderstanding in the family has left the house."

Considering the fact that processes under sections 82 and 83 of the Code of Criminal Procedure have already been issued, this Court is not inclined to grant anticipatory bail to the petitioner.

Let the learned Court below consider the prayer for regular bail of the petitioner, preferably on the same day, keeping in view of the facts that accusation of torture has been levelled after 34 years of marriage and the petitioner is ready to keep the complainant as wife with dignity and honour, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No.2284/2011, pending before the learned Judicial Magistrate, 1st Class, Muzaffarpur.

With the above observation, this application is,
accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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