

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6898 of 2016



Complaint Case No. -189 Year- 2005 Thana -ROHTAS COMPLAINT CASE District- SASARAM
(ROHTAS)

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Gulab Paswan, son of Naresh Paswan

.... Petitioner/s

Versus

- 1. State of Bihar
- 2. Motisar Devi, wife of Gulab Paswan

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghunandan Kumar Singh

For the Opposite Party/s : Mr. Pushpa Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2016 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.

The basic accusation is of torture.

On instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and birth of three children.

Learned counsel for the petitioner further submits that issue, between the parties, has been resolved and the complainant and the petitioner are residing together. Statement to that effect has been made in paragraph nos. 13 and 14 of the petition, which read as :-

"13. That it is most humbly submitted that the petitioner has finally came back to his house and he is living at his native village with the Opposite Party No.2 itself."

14. That the petitioner has kept his wife with full honour and dignity and the dispute between them have already been settled."

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one month 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, Rohtas at Sasaram in connection with Complaint Case No.189/2005, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by learned court below if the petitioner will appear before the

learned Court below on 3rd March, 2016 with the complainant and the complainant admits that she is residing with the petitioner. Otherwise, the petitioner will surrender and pray for regular bail.

Ashwini/-

(Dinesh Kumar Singh, J)

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