

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6272 of 2016

Arising Out of PS.Case No. -704 Year- 2014 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

Abhaya Kumar Singh S/o Late Prasant Singh, R/o Village- Siktiya, P.S.-
Govindganj, District- East Champaran.

.... Petitioner

Versus

1. The State of Bihar

2. Shobha Devi, D/o Rameshwar Singh, W/o Abhay Kumar Singh, R/o
Village- Siktiya, P.S.- Govindganj, District- East Champaran. at present
residing in Village- Bahuarwa Babutola, P.S.- Manjhaulia, District- West
Champaran.

.... Opposite Parties

Appearance :

For the Petitioner : Mr. Shiva Shankar Sharma, Advocate.

For the Opposite Parties : Mr. S. Dayal(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 08-02-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is
apprehending his arrest in a complaint case wherein processes
have 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.

It is submitted by learned counsel for the petitioner

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 that effect has been made in paragraph 9 of the petition, which reads as follows:-

“That the petitioner is ready to keep the complainant with full dignity within his financial constant and is also ready to lead the conjugal life in congenial manner.”

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 his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Complaint Case No. 704(C) of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant 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 within one year by the learned court below in three

eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J.)

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