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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9086 of 2016

Arising Out of PS.Case No. -3310 Year- 2010 Thana -SARAN COMPLAINT CASE District-SARAN

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Firoj Alam, son of Khalique Mian, resident of village-Revelganj, P.S.-Revelganj, District-Saran at Chapra

.... Petitioner/s

Versus

1. The State of Bihar
2. Anjan Khatoon wife of Firoj Alam, daughter of Moharam Mian, resident of Village-Revelganj, P.S.-Revelganj, District-Saran at Chapra, at present resident of Village-Sonauli, P.s.-Masarakh, District-Saran at Chapra

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Narendra Kumar
For the Opposite Party/s : Mr. Hirday Prasad Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 23-02-2016 The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were 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 on instruction that petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 10 of the petition which reads as follows:-

> "That petitioner always and still ready to keep her wife i.e. O.P. No. 2 with full honour and dignity".

Considering the fact that complaint was filed in 2010, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for three months on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Saran at Chapra in connection with Complaint Case No. 3310(C) of 2010, Trial No. 1028 of 2016.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of three months (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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