

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10889 of 2016

Arising Out of PS.Case No. -495 Year- 2015 Thana -COMPLAINT CASE District- KISANGANJ

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Dharmendra Sah, son of Bhuwan Lal Sah, resident of Village-Haldikhoda,
P.S.-Kochadhaman, in the district of Kishanganj

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Bhanu Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-03-2016

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 and making an attempt to kill the complainant by causing burn injury.

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 14 of the petition which reads as follows:-

“That it is humbly submitted

that petitioner is ready to keep the O.P. No. 2 as his
wife with full love, affection and dignity”

Considering the present stand of the

petitioner, 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 six months on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Kishanganj in connection with Complaint Case No. 495(C) of 2015.

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 six 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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