

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11864 of 2016

Arising Out of PS.Case No. -801 Year- 2014 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

=====

1. Parmesh Kushwaha S/o Bachan Kushwaha Resident of Village Tejopur
Po Saidraja, PS Saidraja, District Chandauli Uttar Pradesh.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Poonam Devi D/o Ram Pravesh Kushwaha Resident of Village-
Kalyanipur Po Chainpur district Kaimur.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajay Nandan Sahay

For the Opposite Party/s : Mr. Ram Sumiran Rai(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-03-2016 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 Sections 323, 498A, 504/34 of the Indian Penal Code.

The basic accusation is of torture after five years of marriage.

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 5 of the petition which reads as follows:-

“That the husband is ready to
keep his wife with regard to honour and prestige as

wife which is also clear in the impugned order”

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, Kaimur at Bhabua in connection with Complaint Case No. 801 of 2014, Trial No. 362 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)

Shageer/-

U		T	
---	--	---	--