

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10271 of 2016**

Arising Out of PS.Case No. -1224 Year- 2012 Thana -ROHTAS COMPLAINT CASE District-  
SASARAM (ROHTAS)

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1. Md. Firoj Ahmad S/O Md. Sagir Ahmed, resident of Village- Bhabua,  
P.S.- Bhabua, District- Kaimur.

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Gulshan Khatoon, D/o Late Md. Kaishar, resident of Mohalla Kotha  
Toli Sasaram, P.S.- Sasaram (T), District- Rohtas.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajay Nandan Sahay  
For the Opposite Party/s : Mr. M.Rab(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      01-03-2016                                      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,

120B 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 7 of the petition. The relevant portion of

which reads as follows:-

“.....the petitioner is

always ready to keep the complainant as wife with

full dignity and honour”

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, Rohtas at Sasaram in connection with Complaint Case No. 1224 of 2015, Trial No. 1066 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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