

Arising Out of PS.Case No. -1434 Year- 2014 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

.... Petitioner/s

1. The State of Bihar
2. Joshana Devi, Wife of Santosh Yadav, resident of village- Sadapur, P.s.- Balia Belone (Kadwa), District- Katihar, daughter of Nageshwar Yadav, at present, resident of Chilhapara, P.S.- Balrampur, District- Katihar

.... Opposite Party/s

For the Petitioner/s : Mr. Rajendra Prasad Sah
For the Opposite Party/s : Mr. P.N.Pandit(App)

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.

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the complainant and has filed Matrimonial Suit No. 1035 of 2014 for the restitution of conjugal life. The petitioner is still ready to keep the complainant as wife with full dignity and honour, though statement to that effect has not been made in the petition.

Considering the aforesaid 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, Katihar in connection with Complaint Case No. 1434 of 2014.

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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