

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11424 of 2016

Arising Out of PS.Case No. -625 Year- 2012 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Pramod Bhagat Son of Shree Puran Bhagat @ Purandeo Bhagat
Resident of village- Majhouliya, P.S.- Menapur, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Rambha Devi Daughter of Ramchandra Bhandari Resident of village-
Prasrampur, P.S.- Parsoni, District- Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal

For the Opposite Party/s : Mr. A.L.Pandit (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-03-2016 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.

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the complainant but the complainant was married to one Ramesh Bhagat prior to marrying with the petitioner. However the petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 6 of the petition which reads as follows:-

“That the petitioner is

husband and he 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, Sitamarhi in connection with Complaint Case No. 625 of 2012.

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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