

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13683 of 2016

Arising Out of PS.Case No. -1115 Year- 2015 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Vikash Singh @ Bikash Kr. Singh Son of Balram Singh
2. Balram Singh Son of Late Chamat Lal Singh
3. Fulia Devi W/o Balram Singh All are resident of Village Sansarpur, P.S.
Azamnagar, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pinki Devi W/o Vikas Singh, D/o Narendra Singh, Resident of Village-
Raushanganj, P.S. Balia Belone (Kadwa) District- Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir

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

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

ORAL ORDER

2 29-03-2016 Heard learned counsels for the petitioners and the State.

The petitioner No.1, Vikas Singh @ Bikash Kr. Singh,
being the husband of complainant, and petitioners Nos. 2 and 3,
being the parents of petitioner No.1, are apprehending arrest in a
case registered for the offences punishable under Section 498A of
the Indian Penal Code.

The basic accusation is of torture.

The petitioner No.1 admits marriage with the
complainant. On instructions, it is submitted that the petitioner
No.1 is ready to keep the complainant as wife with full dignity and
honour. Statement to the aforesaid effect has been made in

paragraph no. 8 of the petition which reads as follows:

“That it is stated that petitioner No.1 who is husband of the complainant, he is always ready to keep his wife with full dignity and honour.”

Considering the present stand of the petitioner No.1, let the above named petitioner No.1 be released on provisional anticipatory bail for one year in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM 1st class, Katihar in connection with C.A Case No. 1115 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

Considering the stand of petitioner No.1, let the

petitioners No.2. Balram Singh and 3. Fulia Devi be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM, 1st class, Katihar in connection with C.A. Case No. 1115/2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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