

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12849 of 2016

Arising Out of PS.Case No. -1791 Year- 2014 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

=====

Manohar Yadav, son of Jorilal Yadav, resident of Village-Maheshpur, P.S.-
Sour Bazar, District-Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. Kiran Devi, wife of Manohar Yadav, resident of Village-Maheshpur,
P.S.-Sour Bazar, District-Saharsa, presently daughter of Natho
Yadav, resident of Nandlali, P.S.-Bihra, District-Saharsa

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Mishra

For the Opposite Party/s : Mr. Hirday Pd. Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-03-2016

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 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 which reads as follows:-

“That the petitioner has
never refused to discharge his liabilities to maintain
the complainant and his children and he is still ready
to keep her with full honour and dignity.”

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 one year on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Complaint Case No. 1791C 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 one year (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	
---	--	---	--