

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15671 of 2016**

Arising Out of PS.Case No. -3340 Year- 2014 Thana -PURNIA COMPLAINT CASE District-  
PURNIA

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1. Rahul Kumar Singh @ Bambam Singh @ Bambam Kumar son of  
Maheshwar Prasad Singh resident of Village/Mohalla- Auliabad,  
Jhandapur, P.S.- Bihpur, Distt- Bhagalpur.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Sita Devi D/o Chachtu Mahaldar resident of Village- Sarsi, Gorhi Tola,  
P.S.- Sarsi, Distt- Purnea.

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

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**Appearance :**

For the Petitioner/s : Mr. Swapnil Kumar Singh

For the Opposite Party/s : Mr. Raj Kishore Singh(App)

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

3      19-04-2016                      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 379, 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 birth of two children and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 5 of the supplementary affidavit which reads as follows:-

“That petitioner still ready to  
keep her wife/O.P. No. 2 with full dignity and  
honour”

It is submitted by learned counsel for the complainant that complainant is ready to accept the offer of the petitioner but she is apprehensive due to the past conduct of the petitioner.

Both sides agree to appear before learned Court below on 2<sup>nd</sup> of May, 2016, when the petitioner will take the complainant to her matrimonial house to keep her 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 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 Sub-Divisional Judicial Magistrate, Purnea in connection with Complaint Case No. 3340 of 2014.

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)**

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