

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16888 of 2016

Arising Out of PS.Case No. -537 Year- 2013 Thana -GAYA COMPLAINT CASE District- GAYA

=====

Shambhu Das, S/o Ram Tahal Das, resident of village- Manjhauriya,
Bankat, P.S.- Mohanpur, District- Gaya

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Tabish Sharfuddin, Advocate

For the Opposite Party/s : Mr. Gopesh Kumar(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 19-04-2016 Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 494, 323, 379, 406/34 of the Indian Penal Code.

The basic accusation is of torture.

On instruction it is submitted by learned counsel for the petitioner that petitioner admits the marriage with the complainant and he is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para- 13 of the petition which reads as follows:-

“That the petitioner being a responsible husband is ready to keep the complainant with full honour, dignity and security as his wife in his matrimonial

home. ”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sri Nitish Kumar, J.M. Ist Class, Sherghati at Gaya in connection with Complaint Case No. 537 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant 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 within six months by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

P.K./-

U		T	
---	--	---	--