

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19829 of 2016

Arising Out of PS.Case No. -2668 Year- 2013 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Premchand Pal @ Binod Pal Son of Jainarayan Pal, Resident of Village
- Mahani Post Office - Semariya Police Station - Kateya District -
Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Soni Devi, Wife of Premchand Pal @ Binod Pal, Daughter of Sukhari
Pal, Resident of Village - Mahani Post Office - Semariya Police Station
- Kateya District - Gopalganj at present resident of village - Gabuwa
Mathiya Post Office - Babu Laxmipur Police Station - Patherwa,
District - Kushinagar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-05-2016 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 and is ready to keep the complainant as

wife with full dignity and honour. A statement to that effect has

been made in para 16 of the petition. The relevant portion of

which reads as follows:-

“.....petitioner being
a husband is ready to keep the complainant as wife
with full dignity.”

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 Judicial Magistrate, Gopalganj in
connection with Complaint Case No. 2668 of 2013, Trial No.
3711 of 2015.

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)

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