

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19387 of 2016

Arising Out of PS.Case No. -144 Year- 2015 Thana -COMPLAINT CASE District- SUPAUL

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Sanjit Kamat son of Shri Birendra Kamat, resident of village + P.O. + P.S.-
Karjain, District- Supaul

.... Petitioner/s

Versus

1. The State of Bihar
2. Kavita Kumari, wife of Shri Sanjit Kamat, resident of at + P.O. + P.S.-
Karjain, District- Supaul

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Adv.

For the Opposite Party/s : Mr. Anil Kr. Singh No.1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-05-2016 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant

is apprehending arrest in a complaint case wherein process has

been directed to be issued after cognizance being taken for the

offences punishable under Sections 498A and 323 of the Indian

Penal Code.

The basic accusation is of torture.

Learned counsel for the petitioner submits that the

petitioner admits his marriage with the complainant and is

ready to keep the complainant as wife with full dignity and

honour. It is further submitted that at present the complainant is

residing with the petitioner as the issued has been reconciled. A statement to that effect has been made in para 6 of the petition which reads as follows:-

“That it is stated and submitted that the petitioner is not only ready and willing to keep his wife (Complainant/Opposite party no.2) with full honour and dignity even presently she is living in her matrimonial house with petitioner and is leading happy conjugal life.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for three months 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM, Supaul in connection with Complaint Case No. 144C of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The petitioner undertakes to produce the complainant before the learned court below on 30th of May, 2016 when the learned court below will take an affidavit from the complainant that she is residing with the petitioner and thereafter confirm the provisional bail of the petitioner, but if the complainant denies the contention of the learned counsel

for the petitioner then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

Amrendra/-

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