

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22967 of 2016

Arising Out of Complaint Case No. -1701 Year- 2015 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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Satish Kumar @ Ranjeet Kumar S/o Brahmdeo Prasad.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Kumari Lovely Shrivastava W/o Satish Kumar @ Ranjeet Kumar, D/o
Devendra Prasad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sangeet Deokuliari, Advocate

For the Opposite Party/s : Mr. Smt. Pronati Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 27-10-2016

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 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 but since the complainant is suffering from some serious disease, the petitioner filed Matrimonial Suit No. 363/2015 with a prayer for divorce. However the petitioner is still ready to keep the complainant as wife with full dignity and honour and ready to

get her treated provided that she parts company with her maternal uncle. A statement to that effect has been made in paragraph no.20 of the petition, which reads as under :-

"That, the petitioner even after everything, is ready to keep her with all dignity and pride on condition that she will get her treated and will not keep any relations with her maternal uncles."

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 15th of November, 2016 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for one year 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 CJM, Motihari, East Champaran, in connection with Complaint Case No.C-1701 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed

by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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