

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22675 of 2016

Arising Out of PS.Case No. -1805 Year- 2015 Thana -GAYA COMPLAINT CASE District- GAYA

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Navneet Kumar, son of Nityanand Prasad

.... Petitioner/s

Versus

1. The State of Bihar
2. Kalpana Kumari wife of Navneet Kumar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Prasad Verma

For the Opposite Party/s : Mr. U.S.P Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-05-2016

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 12 of the petition which reads as follows:-

“That the petitioner is always
ready to keep his wife/complainant with full dignity
and honour”

It appears from the impunged order that initially before learned Court below the petitioner was ready to

keep the complainant but subsequently the petitioner changed his stand. Now the petitioner is ready to keep the complainant with 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 four months 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, Gaya in connection with Complaint Case No. 1805 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 four months (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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