

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37410 of 2016

Arising Out of PS.Case No. -534 Year- 2015 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Ram Pravesh Sah Son of Mosafir Sah Resident of Village- Bela, Shanti
Kutir, P.S Nanpur District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sabita Kumari wife of Ram Pravesh Sah and Daughter of Binod Sah
Resident of Village- Basudeopur Boha P.S Bajapatti, District Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Arun Kumar

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 29-08-2016 Heard learned counsels for the petitioner and the

State.

The petitioner being husband of the complainant is
languishing in custody since 30.6.2016 in a complaint case in
which process has been directed to be issued after cognizance
being taken under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by the learned counsel for the
petitioner that the petitioner was granted provisional
anticipatory bail on the readiness of the petitioner to keep the
complainant with due dignity and honour but since the

petitioner inflicted torture to the complainant, the petitioner was taken into custody. The petitioner admits his marriage with the complainant and is still ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph 16 of the petition which reads as follows:

“ That, even after the aforesaid facts, the petitioner is still ready to keep the complainant with full dignity and surety.”

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

In the circumstances, let the above named petitioner be released on provisional 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 S.D.J.M. Pupri at Sitamarhi, in connection with Complaint Case No. 534 of 2015.

The learned court below will fix a date for appearance of the petitioner and the complainant within a period of four weeks from the date of release of the petitioner when it is submitted that 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 by the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Anil/-

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