

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49545 of 2015

Arising Out of PS.Case No. -2778 Year- 2006 Thana -SARAN COMPLAINT CASE District-
SARAN

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1. Nitesh Kumar Singh Son of Bashist Narayan Singh Resident of Village
- Rampur Kala, P.S. - Khaira, District – Saran

.... Petitioner/s

Versus

1. The State of Bihar

2. Priti Devi W/o Nitesh Kumar Singh D/o Devendra Kumar Singh R/o
Village - Rampur kala, P.S. - Khaira, Dist. - Saran. At present - Rita Khat
Korva, P.S. - Korva, District - Korva (Chhatisgarh)

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ganjendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar (App)

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

5 27-06-2016 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case in
which processes have been directed to be issued after
cognizance being taken for the offences punishable under
Sections 498A, 323/34 of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by the learned counsel for the

petitioner that the petitioner admits his marriage with the complainant and ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para-6 of the petition which reads as follows:-

“That the petitioner is ready even today to keep the complainant with him in a decent and dignified manner as his wife.”

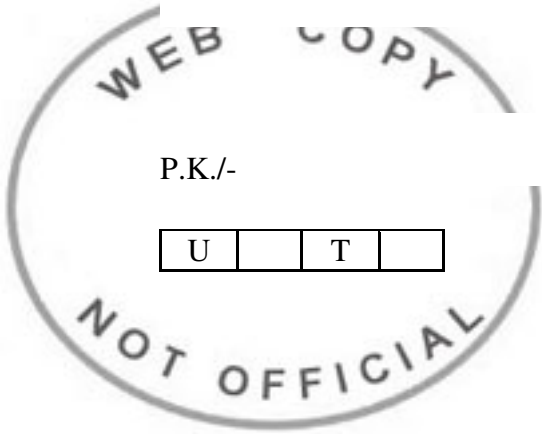
Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner.

Both the petitioner and complainant agree to appear before the learned court below on 14th of July, 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 his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Chapra in connection with Complaint Case No. 2778 of 2006, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets

reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.



(Dinesh Kumar Singh, J)