

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37781 of 2016

Arising Out of PS.Case No. -343 Year- 2015 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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Sridhar Kumar Mahton

.... Petitioner/s

Versus

1. State of Bihar,
2. Rani Devi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-08-2016 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

On instruction it is submitted that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 11 of the petition which reads as follows:

“That it is stated and submitted that the petitioner is

still ready to keep his wife/complainant with full honour and dignity. ”

It is further submitted that similar was the stand of the petitioner before the learned court below but the impugned order reflects that the reconciliation failed due to apathetic attitude of the petitioner.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Udakishunganj, Madhepura in connection with Complaint Case No. 343 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and on her appearance 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)

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