

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30373 of 2016

Arising Out of PS.Case No. -703 Year- 2015 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

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1. Sunil Tiwari S/o Ram Dhawaja Tiwari resident of village-Akari, P.S.
Bhabua District-Kaimur

.... Petitioner/s

Versus

1. The State of Bihar

2. Rina Devi W/o Sunil Tiwari D/o Ram Pravesh Tiwari resident of
Mohalla- Bhabua, Ward No. 7, P.S.- Bhabua,District-Kaimur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sujeet Kumar, Advocate

For the Opposite Party/s : Mr. Sri Gopesh Kumar

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

ORAL ORDER

2 22-07-2016

Heard learned counsel for the petitioner and 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, 406, 494, 109 of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner
that petitioner admits his marriage with the complainant and
he is ready to keep the complainant as wife with full dignity
and honour and has not performed second marriage. Statement
to that effect has been made in para- 10 of the petition which
reads as follows:-

“That the petitioner submits

that he has not done the second marriage with any one and ready to keep the complainant with full dignity and honour.”

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 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 J.M., Kaimur at Bhabhua in connection with Complaint Case No. 703 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant 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 within six months 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)

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