

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31700 of 2016

Arising Out of PS.Case No. -1641 Year- 2015 Thana -PURNIA COMPLAINT CASE District-
PURNIA

=====

Md. Alam S/o Mishra Ali, Resident of Village- Khutti Hasili, P.S- Sri
Nagar, District- Purnea.

.... Petitioner

Versus

1. The State of Bihar. null null
2. Panfool Khatoon wife of Md. Alam, D/o Md. Kasamuddin, Resident of
Village- Jhunni Istambrar, P.S- K.Nagar, District- Purnea.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. Sri Indra Kumar Singh

=====

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

ORAL ORDER

2 28-07-2016

Heard learned counsel for the parties.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under sections 323, 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 admits his marriage with the complainant and he is ready to keep the complainant with full dignity and honour. Statement to that effect has been made in paragraph 6 of the petition.

The impugned order does not reflect that the petitioner

has taken stand before the learned court below that he is ready to keep the complainant with full dignity and honour.

Considering the present stand of the petitioner, let the abovenamed petitioner be released on provisional anticipatory bail for four 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 bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Lal Bihari Paswan, Judicial Magistrate, Purnea in C.A. Case No. 1641/2015, 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 for her appearance. 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, (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

Surendra/-

(Dinesh Kumar Singh, J)

U			
---	--	--	--

