

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48252 of 2015

Arising Out of PS.Case No. -3060 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

Laxmi Yadav, S/o Late Premlal Yadav, village- Ramganj, Jhausa Tola, P.S.-
Sonamani Godam, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Malti Devi W/o Sri Laxmi Yadav, D/o Sri Sukhdeo Prasad Yadav,
village- Ramganj, Jhausa Tola, P.S.- Sonamani Godam, District- Araria.
Presently at Village- Katahra, P.S.- Forbesganj, District- Araria.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Md. A.Haque Sahara (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

06/ 14-07-2016

Heard learned counsels for the petitioner and the
State.

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 Section 498A of the
Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. Though, statement to that effect has not been made in the petition.

Counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner, though, both sides alleged that both have performed second marriage.

Both sides agree to appear before the learned court below on 26th 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 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 Sub-divisional Judicial Magistrate, Araria in connection with Complaint Case No. 3060(C) of 2013, 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 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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