

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41191 of 2016

Arising Out of PS.Case No. -1207 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

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Md. Noman son of Sk. Nasimuddin resident of Village - Shadipur, P.S. -
Jalalgarh, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Nuzhat Bano wife of Md. Noman, daughter of Illiyas Resident of
Village - P.T. Dumaria, P.S. Mahalgaon, District - Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Sah @ Baranwal

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-09-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance has been taken for the offences punishable under Sections 379 and 498A of the Indian Penal Code.

The basic accusation is of.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the complainant and is ready to keep her as wife with full dignity and honour, statement to that effect has been made in para 15 of the petition which reads as follows:-

“That the petitioner is ready to keep the

complainant with great respect and dignity.”

It appears from the impugned order that at the initial stage before the learned Sessions Judge, it was submitted on behalf of the petitioner that the petitioner is ready to keep the complainant but during course of final hearing it was submitted on behalf of the petitioner that there is no scope of compromise.

It is submitted by learned counsel for the petitioner that now the petitioner is ready to keep the informant as wife with full dignity and honour.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for four 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Araria in connection with Complaint Case No. 1207 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance when the petitioner will take the complainant to her matrimonial house 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 failed to appear or (iii) if the complainant deliberately refuses to reside with the petitioner.

(Dinesh Kumar Singh, J)

Amrendra/-

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