

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40042 of 2016

Arising Out of Complaint Case No. -2642 Year- 2012 Thana -COMPLAINT CASE District-
ARRARIA

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Md. Sahid @ Md. Shahid Son of Md. Sarif, resident of village -
Gokhalapur, P.S. Narpatganj, District Araria

..... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Sauda Khatoon, W/o Md. Sahid, D/o Abdul Barik resident of
village - Gokhalapur, P.S. Narpatganj, District Araria

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-09-2016 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 being taken for the offences
punishable under Section 498A of the Indian Penal Code.

Basic accusation is of torture.

Learned counsel for the petitioner submits that the
petitioner admits his marriage with the complainant and he is

ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 11 of the petition which reads as follows:-

"That the petitioner is ready to keep the complainant with full dignity and honour."

Since the complaint was filed in 2012 but the petitioner has preferred the present application in 2016 and keeping in view of the present stand of the petitioner, let him be released on provisional anticipatory bail for three 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 Judicial Magistrate, 1st Class, Araria, in connection with Complaint Case No.2642C/2012, 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. 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 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.

Ashwini/-

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(Dinesh Kumar Singh, J)