

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14348 of 2016

Arising Out of PS.Case No. -473 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Ajit Kumar Sah S/o Sri Om Prakash Sah Resident of Village- Bhakhara, Khurd, PS Bhagwanpur, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rekha Kumari@Rekha Devi W/o Sri Ajit Kumar Sah, D/o Raj Kumar Soni @Raja Ji R/o Village- Khurd Bakra, PO+PS- Bhagwanpur, District Vaishali and Behind Tejpal Building Saraiganj tawar, Muzaffarpur, PS town, District Muzaffarpur At Present Satichaura Colony Behind Additional Registrar Office PO Digha PS Danapur, District Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umeshanand Pandit
For the Opposite Party/s : Mr. Binod Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 11-04-2016 The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were 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 learned counsel for the petitioner on instruction that petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 3 of the supplementary affidavit which reads as follows:-

“That the petitioner stated

and humbly submitted that he is ready to keep his wife with full dignity and honour, as well as any terms and conditions”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, Patna in connection with Complaint Case No. 473(C) of 2014.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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