

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6625 of 2016

Arising Out of PS.Case No. -1357 Year- 2012 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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Gonaur Singh son of Late Shital Singh, Resident of village- Jababipur, P.S.-
Sitamarhi, District- Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Mina Devi, Wife of Gonaur Singh, Resident of village- Jababipur, P.S.-
Sitamarhi, District- Sitamarhi, At present village- Kaora Khagi, P.S.-
Personi, District- Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Veena Rani Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-02-2016 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 Sections 498A of the Indian Penal

Code.

The basic accusation is of torture after about two

decades of marriage.

Learned counsel for the petitioner submits that the

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 7 of the petition which reads as follows:-

“That the petitioner is ready to maintain his wife with full dignity and honour.”

Considering the complaint case being filed in the year 2012 and the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six 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, Sadar Sitamarhi in connection with Complaint Case No. C1/1357 of 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.

(Dinesh Kumar Singh, J)

Amrendra/-

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