

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4257 of 2016

Arising Out of PS.Case No. -1364 Year- 2014 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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1. Ram Lalit Rajak @ Munna Rajak son of Late Shivan Rajak, Resident of
Village- Agapur, P.S.- Mansoorchak, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

2. Sunaina Devi wife of Ram Lalit Rajak @ Munna Rajak, daughter of Late
Julmi Rajak, presently residing at village- Begampur, P.S.- Mathurapur
(O.P.), District- Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh

For the Opposite Party/s : Mr. Ram Sewak Chaudhary(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 27-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner being husband of the complainant is
apprehending arrest in a complaint case wherein cognizance has
been taken under sections 323, 406, 417 and 498(A) of the IPC.

The basic accusation is of torture after 17 years of the
marriage.

The petitioner admits marriage with the complainant.
On instructions, it is submitted that the petitioner is ready to keep
the complainant as wife with full dignity and honour. Statement to
the aforesaid effect has been made in paragraph no. 7 of the
petition which reads as follows:-

*“7. That the petitioner is ready to keep the complainant
with full dignity and honour at his village home, but she herself is*

not ready to live in Sasural and is interested in living in maikie only.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Ranjula Bharti, learned JM 1st class, Samastipur in connection with Complaint Case No. 1364 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and 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 the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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