

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18268 of 2016

Arising Out of PS.Case No. -519 Year- 2014 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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Arunjay Das @ Karu Das, son of Bhagwan Das, resident of Village & P.O.-
Chhatarpur Wara, P.S.-Chhatarpur, District-Palamu

.... Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi, daughter of Manikchand Das, resident of Village &
P.O.-Saidabad, P.S.-Pali, District-Jehanabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Sinha

For the Opposite Party/s : Mr. P.K.Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 27-04-2016

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 Section 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 is ready
to keep the complainant with full dignity and love.”

It is submitted by learned counsel for the complainant that earlier also Complaint Case No. 764 of 2009

was filed which ended into compromise but again torture was inflicted. However, the complainant is still ready to accept the offer of the petitioner.

Both sides agree to appear before learned Court below on 9th of May, 2016, when the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the aforesaid stand of the parties, 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 Sub-Divisional Judicial Magistrate, Jehanabad in connection with Complaint Case No. 519 of 2014.

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.

Shageer/-

(Dinesh Kumar Singh, J)

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