

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21120 of 2016

Arising Out of Complaint Case No. -109 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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Haribansh Kumar Pathak Son of Shri Bhola Pathak,
..... Petitioner/s

Versus

1. The State of Bihar
2. Nibha Pathak, W/o Harbansh Kumar Pathak, D/o Hareram Ojha,
..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh, Advocate

For the Opposite Party/s : Mr. Indra Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-05-2016 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 and 324 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 8 of

the petition which reads as follows:-

"That the petitioner at the very outset states that he being husband has always kept her with full honour and dignity and is still ready to keep her with all respect, honour and dignity...."

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Danapur, Patna, in connection with Complaint Case No.109 C/2015, 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/-

(Dinesh Kumar Singh, J)

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