

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33832 of 2015

Arising Out of PS.Case No. -26018 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Dr. Rajesh Paswan @ Rajesh Paswan, son of Ram Lochan Sharan, R/o
village- Azad Chauk, Gangzala, P.S.- Saharsa, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Maheshwar Kumar Puja wife of Dr. Rajesh Paswan, daughter of
Yadunandan Paswan, R/o C-302, N.T.P.C. Apartment, Phase-I, Ashiyana,
P.S.- Rajeev Nagar, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

For the Opposite Party/s : Mr. Durgesh Nandan(App)

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

3 11-01-2016 Heard learned counsels for the petitioner,

complainant and the State.

The petitioner being the husband of the
complainant is apprehending arrest in a complaint case in
which processes were directed to be issued after cognizance
being taken under Sections 498A,323 and 504 of the Indian
Penal Code.

The basic accusation is of torture.

The petitioner admits his 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 though statement to the aforesaid effect has not been made in the petition. The petitioner has also filed Matrimonial Case No. 116 of 2012 for restitution of conjugal rights.

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner. Both petitioner and the complainant agree to appear before the learned court below on 25.1.2015 when the petitioner will take the complainant along with minor child to keep with full dignity and honour.

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 learned JM Ist Class, Patna in connection with Complaint Case No. 26018 C of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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)

Anil/-

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