

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28683 of 2016

Arising Out of PS.Case No. -1570 Year- 2015 Thana -COMPLAINT CASE District- ARRARIA

1. Md. Saquib @ Sakib S/o Late Md. Mojeeb Sah resident of Village-
Rajokhar P.S. & District Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nabisa Khatoon D/o Late Md. Ashaque, W/o Md. Saquib resident of
Village- Bhawanipur, P.S.- Pratapganj, District- Supaul.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Sri Shantanu Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 22-08-2016

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.

The petitioner and the complainant are present before this Court.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant though the complainant has performed second marriage with the petitioner. It is further submitted that petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made

in para 16 of the petition which reads as follows:-

“That, the petitioner is
ready to keep the complainant with full honour,
dignity and prestige.”

It is submitted by learned counsel for the complainant that complainant denies the factum of her second marriage and admits that petitioner is the first husband of the complainant. The complainant is also ready to resume the conjugal life.

Both sides agree to appear before learned Court below on 5th of September, 2016 when the petitioner will take the complainant to her matrimonial house to keep her with dignity and honour.

Considering the present stand of the petitioner, 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 Judicial Magistrate, 1st Class, Araria in connection with Complaint Case No. 1570C of 2015.

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/-

U		T	
---	--	---	--

(Dinesh Kumar Singh, J)

