

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26601 of 2016

Arising Out of PS.Case No. -926 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Parma Lal Singh, Son of Late Sitaram Singh, Resident of Village –
Lamichaur Bazar Tola, Police Station – Bhore, District – Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. Mainamati Devi, Wife of Parma Lal Singh, daughter of Laxaman Singh,
Resident of Village – Lamichaur Bazar Tola, Police Station –Bhore,
District – Gopalganj, presently residence of Village – Nawaka Tola
Husepur, Police Station- Bhore, District – Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

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

ORAL ORDER

02/ 30-06-2016

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case wherein
process has been directed to be issued after cognizance being
taken for the offences punishable under Sections 323 and 498A/34
of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the
petitioner that the petitioner admits his marriage with the
complainant and is ready to keep the complainant as wife with full

dignity and honour. Statement to that effect has been made in paragraph 12 of the petition, which reads as follows:-

“That the petitioner is ready to keep her wife with full dignity and honour.”

It is further submitted that the similar was the stand of the petitioner before the learned court below and the complainant accepted the offer but the learned court below disposed of the anticipatory bail of the petitioner and directed the petitioner to surrender before the learned court below for seeking regular bail.

Considering the stand of both the parties recorded in the impugned order dated 25.08.2015 passed by learned Sessions Judge, Gopalganj in A.B.P. No. 1209 of 2015, let the above named petitioner be released on provisional anticipatory bail for six months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Gopalganj in connection with Complaint Case No. 926 of 2014, subject to the conditions as laid down under Section 438(2) of the 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) on substantial restoration of the matrimonial harmony; (ii) or if the complainant failed to appear before the learned court below; and (iii) or if the matrimonial harmony could not restored due to the latches on the part of the complainant.

(Dinesh Kumar Singh, J)

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