

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33440 of 2016

Arising Out of PS.Case No. -27116 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Sheo Narayan Singh, S/o Late Mauji Singh, resident of village- Hasanpura,
Post Office- Dhibada, Police Station- Janipur (Phulwarisharif), District-
Patna

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-08-2016 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 379, 323, 307, 386 of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant 25 years prior to the lodging of the present complaint and birth of two daughters and both are married. The petitioner was earlier

married to Basanti Devi, who died leaving behind two children and both are married. The basic contention is with regard to partition of the property between the children. The petitioner is still ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para- 9 of the petition which reads as follows:-

“That it is stated that the petitioner is ready to keep the complainant with 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 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 Miss. Kiran Chaturvedi, J.M., Ist Class, Patna in connection with Complaint Case No. 27116C 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 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 within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets

reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.



(Dinesh Kumar Singh, J)

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