

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31102 of 2016

Arising Out of PS.Case No. -3222 Year- 2015 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Bindal Manjhi Son of Late Main Manjhi Resident of Village- Bajlaha,
P.S.- Gopalpur, Dist- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Devi D/o Shri Ram Manjhi Resident of Village- Rampur Khurd,
P.S.- Gopalpur, Dist- Gopalganj.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Dr. Indiar Kumari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-07-2016 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 323, 498A 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 and

he is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para-12 of the petition which reads as follows:-

“That petitioner was/is always ready to keep him with full dignity. ”

It is further submitted that the similar was the stand of the petitioner before the learned court below.

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 Chief Judicial Magistrate, Gopalganj in connection with Complaint Case No. 3222 of 2015, 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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