



IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47240 of 2015

Arising Out of PS.Case No. -29 Year- 2013 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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1. Md. Badruddin S/o Md. Serajuddin Residence of village- Jagarnathpur
Lagama, P.S.- Paroo, Dist- Muffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Shakina Khatoo, W/o Badruddin, D/o Sarfuddin Presently R/o Village-
Thargawan, P.S.- Mehasi, Dist- East Champaran.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Madhuranand Jha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 30-06-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 147,
148, 341, 452, 323, 324, 498A and 379 of the Indian Penal
Code.

The basic accusation is of torture.

It is submitted by the learned counsel for the
petitioner that the petitioner admits the marriage with the



informant. The petitioner has filed Matrimonial Suit No. 281 of 2013 with a prayer for divorce, but he is ready to keep the informant as wife with full dignity and honour. Though, statement to that effect has not been made in the petition. The petitioner is further ready to withdraw the Matrimonial Suit.

Learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner.

Both the petitioner and informant agree to appear before the learned court below on 11th of July, 2016 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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, Moihari, East Champaran in connection with Mehasi P.S. Case No. 29 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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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