

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27745 of 2016

Arising Out of PS.Case No. -185 Year- 2015 Thana -MAHILA P.S. District- BHOJPUR

Ashok Sah Son of Nan Sah Resident of village - Saraiya, P.S. Krishnagarh,
District - Bhojpur

.... Petitioner

Versus

1. The State of Bihar
2. Pushpa Devi Wife of Ashok Sah Resident of village - Saraiya, P.S.
Krishnagarh, District - Bhojpur

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh

For the Opposite Party/s : Mr. Sri Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-07-2016

Heard learned counsel for the parties.

The petitioner being the husband of the complainant is apprehending his arrest in a case registered for the offence punishable under sections 498A, 406, 34 of the Indian Penal Code.

The accusation is of torture.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and he is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in paragraph 7 of this application.

Considering the present stand of the petitioner, let the petitioner, abovenamed, 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 bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Bhojpur, Ara in Bhojpur Mahila P.S. Case No. 185/2015, 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 for her appearance. 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) if the matrimonial harmony is substantially restored, (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Surendra/-

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