

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41423 of 2016

Arising Out of PS.Case No. -1594 Year- 2015 Thana -GAYA COMPLAINT CASE District- GAYA

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1. Md. Imteyaz Son of Md. Iltaf Hussain Resident of Mohalla- Hajipur Gola, P.S Raniganj, District Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. Nahid Sonower Wife of Md. Imteyaz, D/o Md. Ifftekhar Resident of Mohalla- Gowal Bigha, Ward No. 35, Taj House PS Rampur, District Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahtab Alam, Advocate

For the Opposite Party/s : Mr. Smt. Sahin Begam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-09-2016 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, 323, 504 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-15 of the petition which reads as follows:-

“That the petitioner being a responsible husband is ready to keep the

complainant with full dignity and security as his wife in his matrimonial home.”

Considering the present stand of the petitioner, 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-IV, Gaya in connection with Complaint Case No. 1594 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 six months 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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