

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57947 of 2015

Arising Out of PS.Case No. -1223 Year- 2014 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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Raju Gandhi Baitha Son of Late Tapi Baitha, Resident of Village -
Marichahwa, P.O. Dhanha, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Chanda Devi, W/o Raju Gandhi Baitha, Resident of Village -
marichahwa, P.O. - Kathar, P.S. - Dhanha, District - West Champaran At
president D/o Sarwan Baitha, resident of village - Kathar, P.S. Dhanha,
District - West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. Manish Kumar 2 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-01-2016 Learned counsel for the petitioner is permitted to make
correction in the petition.

The petitioner being the husband of the complainant is
apprehending arrest in a complaint case wherein process has
been directed to be issued after cognizance being taken for the
offences punishable under Sections 498A of the Indian Penal
Code.

The basic accusation is of torture.

Learned counsel for the petitioner submits that the
petitioner admits his marriage with the complainant and is ready
to keep the complainant as wife with full dignity and honour. A

statement to that effect has been made in para 7 of the petition which reads as follows:-

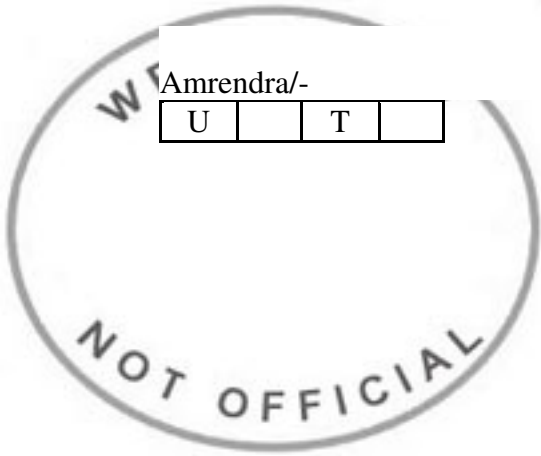
“That the petitioner was ready and is still ready to keep his wife (Complainant) with full dignity and honour.....”

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 arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Bagaha, West Champaran in connection with Complaint Case No. 1223 of 2014, subject to the conditions as laid down under Section 438(2) 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 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)