

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44734 of 2016

Arising Out of PS.Case No. -333 Year- 2015 Thana -MADHEPURA COMPALINT CASE District-
MADHEPURA

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1. Amar Kishore @ Amar Kishore Mehta S/o Late Mahendra Prasad Mehta
R/o Vill- Tonha,P.S.-Bhargama, Distt.-Araria

.... Petitioner/s

Versus

1. The State of Bihar
2. Kiran Kumari W/o Amar Kishore Mehta D/o Bateshwar Mehta @ Matru,
permanent address vill- Tonha, P.S.-Bhargama Distt.- Araria, at present
vill.- Tulisya, P.S.- Biharigang, Distt.-Madhepura,

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar
For the Opposite Party/s : Mr. Lakshmi Kant Sharma

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 17-10-2016 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken under Sections 498A,323 and 379 of the Indian Penal Code.

The basic accusation is of torture.

On instruction it is submitted that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour.

Statement to the aforesaid effect has been made in paragraph no. 13 of the petition which reads as follows:

“moreover he is always ready to take back the Opp. No. 2 with full love care but”

It is further submitted that the petitioner filed Complaint Case No. 1506 of 2016 at earlier point of time but now the petitioner wants to resolve the issue.

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 arrest or surrender before the learned Court below within a period of six 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 learned JM Ist Class, Udakishunganj in connection with Complaint Case No. 333 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and 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 or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Anil/-

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