

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42437 of 2016

Arising Out of PS.Case No. -12462 Year- 2014 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

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Sajjan Tanti @ Sajjan Kumar Tanti son of Sandeep Tanti.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghu Nath Singh

For the Opposite Party/s : Mr. Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-10-2016 Learned counsel for the petitioner is permitted to make
necessary correction in paragraph nos. 12 and 14 of the petition.

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 process has been
directed to be issued after cognizance has been taken for the
offences punishable under Sections 498A, 323 and 504/34 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 his marriage with the complainant and is
ready to keep her as wife with full dignity and honour, statement
to that effect has been made in para 17 of the petition which reads
as follows:-

“That the petitioner is still ready to keep his wife

with full honour and dignity.....”

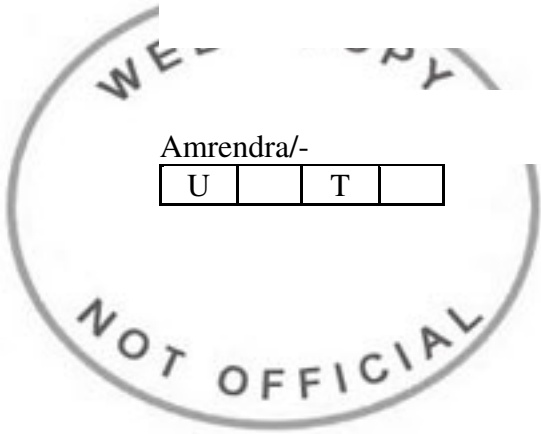
It is further submitted that though, the petitioner has filed Matrimonial Suit No.30 of 2015 with a prayer for divorce but he is ready to withdraw the same, though, statement to that has not been made in the petition.

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 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, Begusarai in connection with Complaint Case No. 12462C 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 when the petitioner will take the complainant to her matrimonial house 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 failed to appear or (iii) if the complainant deliberately
refuses to reside with the petitioner.



Amrendra/-

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(Dinesh Kumar Singh, J)