

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13620 of 2016

Arising Out of PS.Case No. -1580 Year- 2015 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Lakhindra Rai son of Damodar Rai Resident of Village- Bazitpur Meyari,
Kachchari Tola, P.S.- Sarai Ranjan, District- Samastipur.. Petitioner/s
Versus

1. The State of Bihar.

2. Punam Devi wife of Lakhindra Rai, Daughter of Late Jagdish Rai
Resident of Village-Sarsikan, P.S.- Goraul, O.P. Kathara, District- Vaishali.
.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jain

For the Opposite Party/s : Mr. Mustaque Alam(App)

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

ORAL ORDER

2 29-03-2016 Heard learned counsels for the petitioner, complainant
and the State.

The petitioner being the husband is apprehending arrest
in a complaint case in which processes were directed to be issued
after cognizance being taken under Section 498A of the Indian
Penal Code.

The basic accusation is of torture.

The petitioner admits marriage with the complainant.
On instructions, it is submitted that the petitioner is ready to keep
the complainant as wife with full dignity and honour. Statement to
the aforesaid effect has been made in paragraph no. 8 of the
petition.

Learned counsel for the complainant submits that the

complainant is ready to accept the offer of the petitioner. Both petitioner and the complainant agree to appear before the learned court below on 27.04.2016 when the petitioner will take the complainant to keep her as wife 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Dharmendra Singh, learned JM, 1st class, Vaishali at Hajipur in connection with Complaint Case No. 1580 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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)

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