

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24449 of 2016

Arising Out of PS.Case No. -141 Year- 2015 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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Parsuram Badhai S/O Upendra Badhai, Resident of Village- Dwarika, P.S.-
simri Bakhtiyarpur, District-Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar
2. Khushbu Devi, Wife of Parahuram Badhai, D/o Basant Badhai,
Resident of village -Pariyama, P.S.-Simari Bakhtiyarpur, District-
Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subesh Sharma

For the Opposite Party/s : Mr. Nawal Kishore Prasad (App)

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

04/ 28-07-2016

Heard learned counsels for the petitioner and the
State.

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

The basic accusation is of torture.

It is submitted by learned counsel for the
petitioner 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 that effect has been made in paragraph 5 of the petition, which reads as follows:-

“That the petitioner is husband of the complainant and as such he is always ready to keep her wife with full dignity and honour.”

Counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner.

Considering the stand of the parties, co-ordinate Bench of this Court vide order dated 16.06.2016 granted interim bail to the petitioner.

Both sides agree to appear before the learned court below on 12th of August, 2016 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 Sub-divisional Judicial Magistrate, Saharsa in connection with Complaint Case No. 141C of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be

confirmed by the learned court below within six 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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