

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4688 of 2016

Arising Out of PS.Case No. -231 Year- 2014 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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Anil Kumar Rai, Son of Binod Rai, Resident of village – Sonpatahi, P.S. –
Babubarhi, District – Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bharti Rai, W/o Anil Kumar Rai, D/o Lal Kishor Roy, R/o village –
Jabdi, P.S. – Babubarhi, District – Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Ajay Kr. Jha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

04/ 14-07-2016

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 Sections 323, 498A and 379/34 of the Indian Penal Code.

The basic accusation is of torture.

Though, initially it was submitted on behalf of

the petitioner that the petitioner denies the factum of the marriage but today stand has been taken that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. Though, statement to that effect has not been made in the petition.

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

Both sides agree to appear before the learned court below on 27th of July, 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 Judicial Magistrate, Ist Class, Madhubani in connection with Complaint Case C.R. No. 231 of 2014, 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 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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