

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4856 of 2016

Arising Out of PS.Case No. -763 Year- 2014 Thana -COMPLAINT CASE District- ARRARIA

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1. Dilip Sah son of Rupchand Sah @ Kuchai Sah Resident of Village-
Kachari Balwa Tola Chakla, Police Station- Sarsi, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sarita Devi wife of Dilip Sah, Daughter of Najo Sah Resident of Village-
Rehua, Police Station- Bounsi, District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anamul Haque

For the Opposite Party/s : Mr. Upendra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-01-2016 Petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the I.P.C.

Accusation is of torture.

It is submitted by learned counsel for the petitioner that petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in Para 12 of the petition which reads as follows:-

“12. That the petitioner is husband and ready to keep his wife with full honour and dignity.”

Considering the aforesaid stand of the petitioner, let the

petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released **on provisional anticipatory bail for one year** on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Araria in connection with Complaint Case No. 763C of 2014 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Prakash/-

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