

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9232 of 2016

Arising Out of PS.Case No. -3880 Year- 2013 Thana -COMPLAINT CASE District- ARRARIA

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Md. Nizamuddin, son of Md. Ramjanuddin, resident of Village-Dahgama,
P.S.-Sikty, District-Araria

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Sarbano, wife of Md. Nizamuddin, daughter of Late Moharouddin, resident of Village-Ranikatta, P.S.-Sikty, District-Araria

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Nitya Nand Tiwari(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-02-2016 The 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 Indian Penal Code.

The basic accusation is of torture after fifteen years of marriage.

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 16 of the petition which reads as follows:-

“That the petitioner is yet
ready to keep the complainant with full dignity and
dignity”

Considering the present 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 six months on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Araria in connection with Complaint Case No. 3880C of 2013.

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 six months (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)

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