

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28849 of 2016

Arising Out of PS.Case No. -1427 Year- 2014 Thana -GAYA COMPLAINT CASE District- GAYA

Pappu Singh, S/o Shankar Singh.

.... Petitioner/s

Versus

- 1. The State of Bihar.
- 2. Asha Devi W/o Pappi Singh D/o Raj Kumar Ram

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sri Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 14-07-2016 Learned counsel for the petitioner is permitted to make necessary correction in the petition.

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending 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.

Basic accusation is of torture.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and birth of two children from the wedlock and he 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 ready to keep his wife and children with love and dignity."

Similar was the stand of the petitioner before the learned Court below.

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Gaya, in connection with Complaint Case No.1427/2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. On her appearance, the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to

appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Ashwini/-

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