

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29989 of 2016

Arising Out of Complaint Case No.34 Year- 2015 Thana -COMPLAINT CASE District- ARRARIA

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Deepak Yadav @ Deepak Kumar, Son of Sri Basudeo Yadav

.... Petitioner/s

Versus

1. The State of Bihar

2. Indu Devi daughter of late- Gahan Lal Yadav

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-07-2016 Heard learned counsels for the petitioner, complainant
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 he is
ready to keep her as wife with full dignity and honour. A
statement to that effect has been made in para 11 of the petition

which reads as follows:-

"That the petitioner is still ready to keep her and maintain the complainant with honour and full dignity."

Learned counsel for the complainant submits that the complainant accepts the offer of the petitioner. In fact, she was ready to accept the offer of the petitioner before the learned Court below also but the petitioner failed to appear before the learned Court below whenever the complainant appeared.

Both sides agreed to appear before the learned court below on 8th 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 three months 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 Judicial Magistrate, 1st Class, Araria, in connection with Complaint Case No.1034/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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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