

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26348 of 2016

Arising Out of PS.Case No. -62 Year- 2014 Thana -COMPLAINT CASE District- SUPAUL

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Md. Raees @ Md. Rahish S/o Md. Alauddin Resident of village- Boraha,
P.S.- Karjain, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar
2. Salatun Khatoon W/o Md. Raees @ Md. Rahish, D/o Late Md. Aziz
resident of village- Sohta, P.S.- chhatapur, District- Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

03/ 18-10-2016

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 Section 498A of the
Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the
petitioner that the petitioner admits his marriage with the
complainant and birth of two children. The petitioner is ready to
keep the complainant as wife with full dignity and honour.

Statement to that effect has been made in paragraph 12 of the petition, which reads as follows:-

“That, the petitioner is ready to keep the complainant (wife) with full respect and dignity.”

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 9th of November, 2016 when the petitioner will take the complainant and the children to keep them with 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, Birpur at Supaul in connection with Complaint Case No. 62 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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