

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42282 of 2016

Arising Out of PS.Case No. -306 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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Md. Farukh Raja @ Md. Farukh @ Md. Faruk Raja @ Md. Farukh Alam,
S/o Taffajul Hussain, resident of village- Banauli (Khiri More), Police
Station- Paliganj, District- Patna

.... Petitioner/s

Versus

The State of Bihar & Anr

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Madan Kumar

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 27-09-2016 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have 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 petitioner admits his marriage with the complainant and birth of children. The petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para- 13 of the petition which reads as follows:-

“That there is general and
omnibus allegation levelled against this

petitioner and his family members.”

Considering the present stand of the petitioner, 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 Additional Chief Judicial Magistrate, Patna City in connection with Complaint Case No. 306 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant 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 within six months 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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