

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11466 of 2016

Arising Out of PS.Case No. -911 Year- 2013 Thana -COMPLAINT CASE District- SUPAUL

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Dinesh Ray, son of Late Rajendra Ray, resident of Village+P.O-Suhath,
P.S.-Saur Bazar, Via-Saur Bazar, District-Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. Hira Devi, daughter of Jagdish Ray, Village+P.O.-Pilwah, P.S.-
Jadiya, District-Supaul

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Sharma

For the Opposite Party/s : Mr. Gopesh Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-03-2016 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.

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 11 of the petition which reads as follows:-

“That petitioner is ready to

keep his wife with full honour and dignity but she is

not ready. Entire incident has been done in a pre-

planned manner to rope the petitioner in a false

case”

It is further submitted that similar was the stand of the petitioner before learned Court below.

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, Supaul in connection with Complaint Case No. 911 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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