

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12950 of 2016

Arising Out of PS.Case No. -951 Year- 2014 Thana -WEST CHAMPARAN COMPLAINT District-
WESTCHAMPARAN(BETTIAH)

Mukesh Kumar Rao Son of Bhola Rao Resident of village - Narainpur, P.S.
Bagaha, (Pathkhauli), District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Mira Devi Wife of Mukesh Kumar Rao, D/o Pahalu Yadav Resident
of village - Narainpur, P.S. Bagaha, (Pathkhauli), District - West
Champaran

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1

For the Opposite Party/s : Mr. S.D. Singh Yadav (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 04-08-2016

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.

The petitioner and complainant are present in the Court.

Though, initially it was submitted that the petitioner disputes the factum of marriage and statement to that effect has also been made in the petition, but today it is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour.

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 12th of 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 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 Sub-divisional Judicial Magistrate, Bagaha, District – West Champaran in connection with Complaint Case No. C-951 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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