

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16550 of 2016

Arising Out of PS.Case No. -1545 Year- 2014 Thana -COMPLAINT CASE District- KISANGANJ

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Shakil Ahmad @ Md. Shakil Ahmad

.... Petitioner/s

Versus

1. State of Bihar,
2. Nazra Bano

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dilip Kumar Singh

For the Opposite Party/s : Mr. Suresh Pd.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-04-2016

Learned counsel for the petitioner is permitted

to make necessary correction in the petition, as prayed for.

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

On instruction it is submitted that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 8 of the petition which reads as follows:

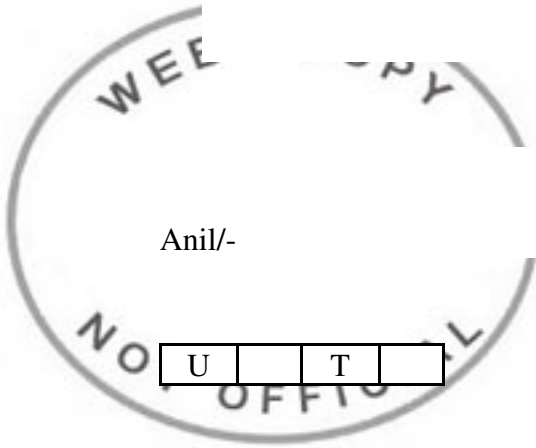
“ That the petitioner is the husband of the complainant who is ready to keep his wife with full honour and dignity and shall bestow all love and affection upon her as he has been doing as yet”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM Kishanganj in connection with Complaint Case No. 1545 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and 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 by the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to

reconcile the issue.



Anil/-

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(Dinesh Kumar Singh, J)