

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29948 of 2016

Arising Out of PS.Case No. -244 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Mahtab Alam @ Mahtab Mian son of Isu Mian Resident of village - Shukl
Jigna, Police Station - Bhorey, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anjumara Khatoon wife of Mahtab Alam alias Mahtab Mian Resident
of village - Shukl Jigna, Police Station - Bhorey, District - Gopalganj.
At present daughter of Manaur Mian, Resident of village - Manjhariya,
Police Station - Kateya, District - Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

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

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

ORAL ORDER

03/ 27-10-2016

Heard learned counsels for the petitioner, State
and opposite party no. 2.

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.

It is submitted by learned counsel for the

petitioner that the petitioner admits his marriage with the complainant but due to the ugly attitude of the complainant the petitioner is not ready to keep her. Today it is submitted by learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour, though, statement to that effect has not been made in the petition.

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 16th of November, 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 Additional Chief Judicial Magistrate-X, Gopalganj in connection with Complaint Case No. 244 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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