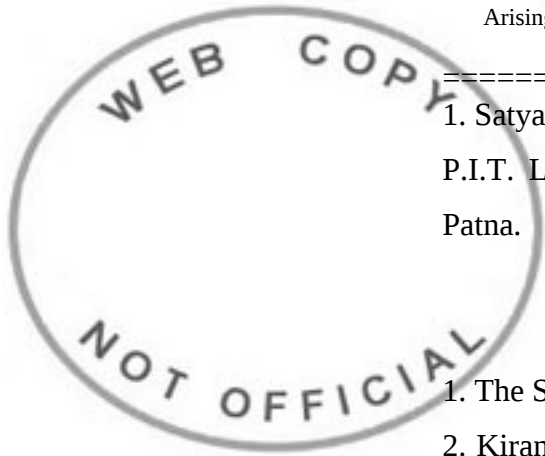


IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24412 of 2015

Arising Out of PS.Case No. -3810 Year- 2012 Thana -SARAN COMPLAINT CASE District-
SARAN



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1. Satya Nand Das S/o Late Vesh Lal Das, resident of Mohalla- Kankarbagh
P.I.T. L2/26 Colony near Central School, P.S.- Patrakar Nagar, District-
Patna.

.... Petitioner/s

Versus

1. The State of Bihar

2. Kiran Kumari W/o Satya Nand Das D/o Gopal Rai, resident of Basbaria
Tola, P.O.- Nagara, P.S.- Khaira, District- Chhapara (Siwan).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nawal Kishore Prasad, Advocate
For the Opposite Party/s : Mr. Mustaque Alam(App)

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

7 17-05-2016 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 the learned counsel for the petitioner that petitioner filed Matrimonial Suit No. 743 of 2012 with a prayer for divorce at earlier point of time,



thereafter present complaint has been filed. Though, the matter was referred to the Mediation Centre of Bihar State Legal Services Authority on the joint prayer of the parties vide order dated 11.01.2016. But, it appears from the interim report of the Mediator at Flag-P dated 11.05.2016 that mediation could not be concluded. However, learned counsel for the petitioner submits that the issue has been reconciled and the petitioner and complainant are residing together.

The petitioner and complainant are present.

Learned counsel for the complainant submits that complainant is ready to resume the conjugal rights.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for one year 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, Saran at Chapra in connection with Complaint Case No. 3810 of 2012, 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 within one year by the learned court below on substantial restoration of the matrimonial harmony.

In the meantime, both sides are

obliged to file appropriate application stipulating the settlement of issue between the parties before the concerned court.



(Dinesh Kumar Singh, J)