

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58472 of 2015

Arising Out of PS.Case No. -641 Year- 2014 Thana -SAMASTIPUR COMPLAINT CASE District-

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Pankaj Kumar Singh

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachchida Nand Lal Karan

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A and 323 of the Indian Penal Code.

The basic accusation is of torture.

The marriage between the petitioner and the complainant is not in dispute. A statement has been made in para 5 of the petition that the petitioner is ready to keep the complainant as wife with full dignity and honour, which reads as follows:-

“That the petitioner is innocent and has not committed offence as alleged and is ready to keep O.P. No.2 with full dignity.”

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM, 1st Class, Samastipur in connection with CR No. 641 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 for her appearance. 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 learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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