

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11334 of 2016

Arising Out of PS.Case No. -1734 Year- 2015 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

- =====
1. Ravi Kumar Son of Jagarnath Singh
 2. Jagarnath Singh Son of late Jangali Singh
 3. Meena Devi Wife of Jagarnath Singh All residents of Village Purkhauli,
Police Station- Lalganj, District Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rani Kumari wife of Ravi Kumar D/o Sitaram Singh Resident of
Village Purkhauli, Police Station- Lalganj, District Vaishali, A/P resides
at Village & P.O. Madarna, Police Station Vaishali, District Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar
For the Opposite Party/s : Mr. Meena Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-03-2016

The petitioner No. 1 being husband of the complainant and petitioner Nos. 2 and 3 being parents of petitioner No. 1 are apprehending their arrest in a complaint case wherein processes were 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 learned counsel for the petitioners that petitioner No. 1 admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 9 of the petition which reads as follows:-

“That the petitioner No. 1 is husband of the complainant and he is ready to keep her wife with all respect and dignity”

Considering the present stand of the petitioner No. 1, let the petitioner No.1, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for six months on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection with Complaint Case No. C1-1734 of 2015.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner No. 1 will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner No. 1 will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of six months (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

Considering the present stand of the petitioner No. 1, let the petitioner Nos. 2 and 3, above named,

in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection with Complaint Case No. C1-1734 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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