

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18770 of 2016

Arising Out of PS.Case No. -1602 Year- 2015 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Rajesh Kumar Sah @ Rajesh Sah, son of Sri. Shankar Sah, resident of
village-Arbanna Police Station-Barhara Kothi, District-Purnia

.... Petitioner/s

Versus

1. The State of Bihar
2. Brahmdeo Sah, son of Umedi Lal Sah, resident of Village-Dhrari,
Police Station-Mirganj, District-Purnia.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh

For the Opposite Party/s : Mr. Binod Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-04-2016

The petitioner being husband of the daughter
of the complainant is apprehending his 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
petitioner on instruction that petitioner admits his marriage
with the daughter of the complainant and is ready to keep the
daughter of the complainant as wife with full dignity and
honour. A statement to that effect has been made in para 6 of
the petition which reads as follows:-

“That the petitioner is
husband of the complainant’s daughter namely
Neelam Devi whose marriage was solemnized in the
year 2012, according to the Hindu rites and customs

and he is ready to keep her wife and two sons with him with full dignity, love and affection.”

Considering the aforesaid stand of the petitioner, let the petitioner, 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 one year on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Judge, II, cum-Additional Chief Judicial Magistrate, Purnia in connection with Complaint Case No. 1602 of 2015.

Let learned Court below issue notice to the daughter of the complainant and fix a date for her appearance. On appearance, the petitioner will take the daughter of the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the daughter of the complainant fails to appear before learned Court below (iii) If the daughter of the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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