

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19796 of 2016

Arising Out of PS.Case No. -2141 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Sanjai Kumar Sah S/o Babulal Sah, Resident of Village - Lohagir, P.S.
- Ujiarpur, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rina Devi, W/o Sanjal Kumar Sah, D/o Arun Sah, of Village -
Lohagir, P.S. - Ujiarpur, District - Samastipur, at present at village -
Rasalpur Habib, P.S. - Desari, District - Vaishali (Hazipur).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh
For the Opposite Party/s : Mr. Ataur Rahman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-05-2016 The petitioner being husband 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 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 12 of the petition which reads as follows:-

“That the petitioner is still
ready to keep her with full dignity and honour if she
likes to live with the petitioner as wife and

husband.”

Considering the present 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 Judicial Magistrate, 2nd Class, Vaishali at Hajipur in connection with Complaint Case No. 2141 of 2014, Trial No. 113/15/60/16.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner 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 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 complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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