

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30421 of 2016

Arising Out of PS.Case No. -820 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Bali Kumar son of Bharat Malik, resident of Mohalla Etwarpur, P.S. Parsa Bazar, District Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Pooja Devi wife of Bali Kumar resident of village- New Etwarpur P.O- Kurthoul P.S- Parsa Bazar, District- Patna at present daughter of Naresh Malik resident of Mohalla Kamala Nagar P.O- G.P.O P.S.- Kotwali, District- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Prasad Yadav, Advocate

For the Opposite Party/s : Mr. Sri Arun Kumar Singh -5

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-07-2016 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 Sections 498A, 323, 504 of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant and he is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para- 8 of the petition which reads as follows:-

“That the petitioner is ready to

keep his wife with honour and dignity but the complainant does not want to live with her husband. ”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months 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 Smt. Ragni Kumari, J.M., Ist Class, Patna in connection with Complaint Case No. 820C of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant 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 within six months by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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