

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13702 of 2016

Arising Out of PS.Case No. -63 Year- 2014 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Chhotelal Prasad son of Chandrika Prasad, Resident of Village- Gorauli,
Police Station- Baikunthpur, District- Gopalganj..... Petitioner/s

Versus

1. The State of Bihar.
2. Bindu Devi, Wife of Chhotelal Prasad, daughter of Ramesh Prasad
Resident of Village- Pipra Bazar, Police Station- Baikunthpur, District-
Gopalganj. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Jagdhar Pd.(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 29-03-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband is apprehending arrest
in a complaint case in which processes were directed to be issued
after cognizance being taken under Section 498A of the Indian
Penal Code.

The basic accusation is of torture.

The petitioner admits marriage with the complainant.
On instructions, it is submitted that the petitioner is ready to keep
the complainant as wife with full dignity and honour. Statement to
the aforesaid effect has been made in paragraph no. 11 of the
petition which reads as follows:

*“11. That the petitioner is still ready to keep the
complainant as a wife with full honour and dignity. But in
the past she never co-operated whole heartedly. This only*

led to the bitterness between the parties”.

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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Gopalganj in connection with C. Case No. 63 of 2014, Trial No. 4065 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 and 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 the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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