

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44951 of 2016

Arising Out of PS.Case No. -3154 Year- 2015 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Md. Jamil S/o Md. Ijabul resident of Village- Jiyagachi, Raxitola, P.S.-
Sadar (Muffasil), District- Purnea.

.... Petitioner

Versus

1. The State of Bihar.
2. Urmila Khatoon D/o Md. Allauddin, W/o Md. Jamil resident of Village-
Jiyagachi, Raxitola, P.S.- Sadar (Muffasil), District- Purnea.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn, Advocate

For the Opposite Party/s : Smt. Suman Kumari Singh

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

ORAL ORDER

2 20-10-2016 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 498(A) of the Indian Penal Code.

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-9 of the petition which reads as follows :-

“ That, the petitioner is always ready to keep the complainant as wife with full dignity and honour, if she

wants to live with the petitioner.”

It is further submitted that impugned order goes to show that the complainant was ready to live with the petitioner but the petitioner was not ready to keep her. Now, the stand of the petitioner is that he is ready to keep the complainant.

It is submitted by learned counsel for the complainant that complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before learned Court below on 11th November, 2016, when the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the aforesaid stand of the parties, 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 S.D.J.M., Purnea in connection with Complaint Case No.3154 of 2015.

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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