

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37725 of 2018

Arising Out of PS. Case No.-3130 Year-2015 Thana- COMPLAINT CASE District- Araria

Md. Shahzad Alam @ Raju, Son of Md. Mustaque, Resident of Village-
Paktola, P.S. and District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Khatoon, W/o- Md. Shahzad Alam @ Raju, D/o- Jamaluddin, Resident of village-Paktola, P.S. and District-Araria, At present Resident of village-Dehti, P.S. Palani, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha
For the Opposite Party/s : Mr. Atul Chandra

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-06-2018 Heard learned counsels for the petitioner and State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the IPC.

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and he is ready to keep her as wife with full dignity and honour. Statement to that effect has been made in paragraph no. 10 of the petition which reads as follows:-

“That the petitioner is ready to keep the complainant with full dignity and honour.”



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 arrest/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 like amount each to the satisfaction of learned SDJM, Araria in connection with Complaint Case No. 3130C of 2015, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

The learned Court below will issue notice to the complainant to appear and on appearance of the complainant, the learned Court below will make effort to reconcile the issue between the parties.

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 gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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