

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5382 of 2014

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1. Suresh Pandit S/O Prabhu Pandit Resident Of Village Kaushalpur, P.S.
Fulli Dumar, District Banka.

.... Petitioner/s

Versus

1. The State Of Bihar
2. Laxmi Devi,
3. Pappu Pandit

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar

For the Opposite Party/s : Mr. Mustaq Alam (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

5 08-05-2015 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein processes were directed to be issued after cognizance being taken under Sections 494 and 498A of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands and performance of second marriage.

Notices were issued to O.P. Nos. 2 and 3 vide

order dated 1.4.2014 but none is appearing on behalf of the Opposite party nos. 2 and 3 inspite of valid service of notice.

A supplementary affidavit has been filed that the petitioner has not performed second marriage. Statement has been made in paragraph 3 to the supplementary affidavit that petitioner is ready to keep the complainant as wife with full dignity and honour.

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 SDJM Munger in connection with Complaint Case No. 776C of 2012 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)

Anil/-

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