

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7789 of 2015

Arising Out of PS.Case No. -1497 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

- =====
1. Mukesh Ray
 2. Saheb Lal Rai
 3. Sonajhari Devi
 4. Ajay Rai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sita Devi Wife of Mukesh Rai, D/o Sri lal Babu Rai, Residence of Village - Nil Kanth Tola, Goraiya Astan, P.s. - Maner, District - Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Prasad

For the Opposite Party/s : Mr. Ajay Kumar 1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-03-2015

Heard learned counsels for the petitioner and the State.

The petitioner no.1 being the husband of the complainant and petitioner nos. 2 to 4 being the parents and brother of the husband of the complainant are apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A and 323 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfilment of the dowry demand.

On instruction, learned counsel for the petitioner

submits that the petitioner no.1 is ready to keep the complainant as wife with full dignity and honour, though, before the learned court below, different stand was taken by the petitioner no.1.

Considering the present stand of the petitioner no.1, let the above named petitioner no.1 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Danapur in connection with Complaint Case No. 1497C of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. On her appearance, the petitioner no.1 will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner no.1 will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

Considering the present stand of the petitioner no.1, let

the above named petitioner nos. 2 to 4 be released anticipatory bail 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 ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Danapur in connection with Complaint Case No. 1497C of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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