

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.9116 of 2015**

Arising Out of PS.Case No. -1250 Year- 2013 Thana -BUXAR COMPLAINT CASE District-  
BUXAR

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1. Amar Nath Dubey S/o Late Brij Bihari Dubey, R/o House No. 124/3,  
N.L.C. Babupurva, P.S. Babupurva, District- Kanpur (U.P.). Permanent  
Address- At + P.O.- Nimaj, P.S.- Brahmpur, District- Buxar

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Daisy Dubey W/o Amarnath Dubey, resident of village- Jogiya, P.S.  
Brahmpur, District- Buxar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bachan Jee Ojha  
For the Opposite Party/s : Mr. Ajit Kumar(App)

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

2      06-04-2015                      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 and section 4 of the Dowry  
  
Prohibition Act.

The basic accusation is of torture for non  
  
fulfillment of dowry demands.

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. 8 of the petition which reads as follows:

“That, the petitioner is still ready to keep his wife with full respect and dignity and also ready to compromise the case.”

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 Buxar in connection with Complaint Case No. 1250C of 2013 / 1892 Tr.14 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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