

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8949 of 2015

Arising Out of PS.Case No. -645 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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Baij Nath Pandit

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Nibha Devi.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Ashok Kumar Sinha, Advocate.

For the State : Mr. Harendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 04-03-2015 Heard the learned counsels for the
petitioner and the State.

The petitioner being the husband of the complainant is apprehending his arrest in complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498(A) and 323 of the Indian Penal Code.

The accusation is of torture for non-fulfillment of dowry demand.

On instruction, it is submitted by learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour, a statement to that effect has been made in paragraph no. 15 of the petition which reads as follows:-

" 15. That the petitioner is the husband of the complainant and is ready to keep and maintain the complainant with all social prestige and dignity, but on the contrary the complainant herself

is not willing to live with the petitioner and has deserted him. "

Considering the present stand of the petitioner, let the petitioner, above named, 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 in connection with Complaint Case No. 645 of(C) of 2013 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Danapur, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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.e., (i) if the matrimonial harmony is substantially restored within one year (ii) or the complainant fails to appear before the learned court below (iii) or she gets reluctant to reconcile the issue.

U.K./-

(Dinesh Kumar Singh, J)

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