

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7492 of 2015

Arising Out of PS.Case No. -281 Year- 2014 Thana -COMPLAINT CASE District- BANKA

1. Ramesh Kumar Mishra @ Pappu Mishra @ Pappu Kumar @ Pappu Kumar Mishra S/o Late Manikant Mishra resident of Village - Kenduar, P.S. - Amarpur, District - Banka, Presently resides at R.Z.C. 1/78 House No. - 250, Jahus near Jahus Convent School, Nihal Bihar, Nangloi Jat, Nilosi, West Delhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rimpi Kumari @ Babli W/o Ramesh Kumar Mishra @ Pappu Mishra D/o Arbind Kumar Jha Village + P.O. - Kaswa, P.S. Shambhuganj, District - Banka presently resides at C/O Nawal Kishore Singh Amarpur - Banka Main Road, Babu Tola, Banka, District - Banka.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Davendra Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Uday Shankar Prasad (APP)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-02-2015 Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and 4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfillment of the 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.

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 his arrest or 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 the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Banka in connection with Complaint Case No. 281 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant 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 within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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