

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9729 of 2015

Arising Out of PS.Case No. -1048 Year- 2013 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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1. Krishna Das Son of Raja Das R/o Village Batura, P.S. Kasma, District Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar
2. Dulari Devi Wife of Krishna Das, D/o Ramdeep Das R/o Village Khaira, Manjhauri, P.S. Kasara, District Aurangabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar
For the Opposite Party/s : Mr. Ram Naresh Roy (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-04-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband is apprehending arrest in a complaint case filed with accusations under Section 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.

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. 11 of the petition which reads as follows:

“That the petitioner is still ready to keep the complainant as wife with full dignity and honor.”

Similar was the stand of petitioner before the learned court below but the complainant failed to appear despite valid service of notice.

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 Aurangabad in connection with Complaint Case No.1048 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 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

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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)

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