

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22346 of 2015

Arising Out of PS.Case No. -442 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Vaibhav Kumar @ Baibhav Kumar S/o Sri Surendra Pandey Resident of
Mohalla Phulwarishariff Bajrangbali Colony, P.S. Phulwarishariff, District
Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Nebha Devi W/o Sri Shyam Kishore Tiwary Resident of Mohalla
Brijnandan Nagar, Kothipar, P.S. Maner, District Patna.
3. Preeti Kumari W/o Sri Vaibhav Kumar & D/o Sri Shyam Kishore Tiwary
Resident of Mohalla Brijnandan Nagar, Kothipar, P.S. Maner, District
Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shaishav Kumar

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

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

2 06-07-2015 Heard learned counsels for the petitioner, complainant
and the State.

The petitioner being the husband of the complainant is
apprehending arrest in a complaint case in which processes were
directed to be issued after cognizance being taken under Sections
498A,379 and 406 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. The marriage between the petitioner and the
complainant having no child are admitted facts.

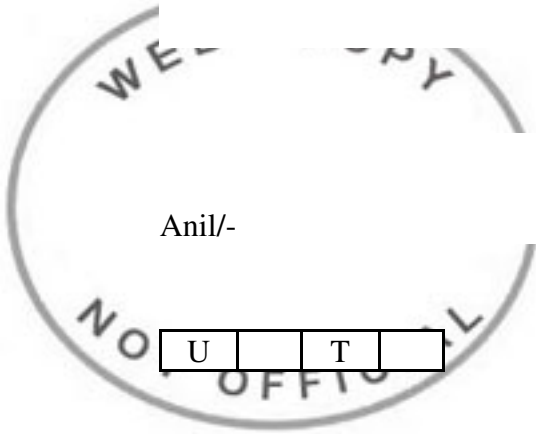
On instructions, it is submitted that the petitioner is ready to keep the complainant as wife with full dignity and honour and also to withdraw Matrimonial Case No. 5139 of 2014 filed with a prayer for divorce. Statement to the aforesaid effect has been made in paragraph 14 of the petition.

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner. Both petitioner and the complainant agree to appear before the learned court below on 10.8.2015 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 JM Ist Class, Danapur, Patna in connection with Complaint Case No. 442C of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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)