

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17606 of 2015

Arising Out of PS.Case No. -398 Year- 2014 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Krishna Tanti Son of Raudi Tanti resident of village - Muzaffarpur, P.S.
Noorsarai, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. Basanti Devi Wife of Krishna Tanti resident of village - Muzaffarpur,
P.S. Noorsarai, District - Nalanda, at Present D/o Late Chhoten Tanti,
resident of Palani, P.S. Manpur, District - Nalanda

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Prasad
For the Opposite Party/s : Mr. T.N. Thakur (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 18-05-2015 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 Sections 323 and 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. The factum of marriage

between the petitioner and the complainant is admitted.

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 the husband of the complainant o.p. no.2 and he is ready to keep and maintain his wife with full honour and dignity according to his capacity.”

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 Biharsharif, Nalanda in connection with Complaint Case No. 398C of 2014 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)

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