

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24792 of 2015

Arising Out of PS.Case No. -75 Year- 2014 Thana -COMPLAINT CASE District- JAMUI

1. Sikandar Rajak Son of Mahadeo Rajak Resident of village - Kukraha,
P.S. Chitra, District - Deoghar (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi Wife of Sikandar Rajak and Daughter of Ganpat Rajak
Resident of village - Chorkattha (Madhopur), P.S. Chakai District - Jamui

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Prakash, Advocate

For the Opposite Party/s : Mr. M.K. Nirala (App)

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

ORAL ORDER

2 08-07-2015

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 3/4 of
the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the
petitioner that petitioner has filed Matrimonial Case No.
239 of 2012 for restitution of conjugal life and still ready
to keep the complainant as wife with full dignity and
honour. Statement to that effect has been made in para-

9 of the petition.

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, Jamui in connection with Complaint Case No. 75C 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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