

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26535 of 2015

Arising Out of PS.Case No. -1350 Year- 2014 Thana -BHABHU(KAIMUR) COMPLAIN C
District- BHABHUA (KAIMUR)

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1. Manoj Seth, Son of Kanhaiya Seth, resdient of village- Shivpur, P.S.-
Bhabua, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sushma Devi, wife of Manoj Seth, resdient of village- Shivpur, P.S.-
Bhabua, District- Kaimur at Bhabua. At present address- resident of
village- Isiyen, P.S.- Chainpur, District- Kaimur at Bhabua.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ Manu

For the Opposite Party/s : Mr. Chandra Bhushan Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-07-2015

Petitioner being husband of the complainant

is apprehending his arrest in a complaint case wherein
processes were directed to be issued after cognizance being
taken for the offences punishable under Section 498A of the
Indian Penal Code.

The basic accusation is of torture for non-
fulfilment of dowry demand.

On instruction, it is submitted by learned
counsel for the petitioner that petitioner is ready to keep the
complainant as wife with full dignity and honour. A statement
to that effect has been made in para 6 of the petition which
reads as follows:-

“That it is humbly submitted
and categorically stated that the petitioner assert

that he is still ready to keep the complainant with full love and dignity.”

The marriage between the petitioner and the complainant and birth of three children are admitted facts.

Both sides agree to appear before learned Court below on 27th of July, 2015 when the petitioner will take the complainant the children to keep them with full dignity and honour.

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Kaimur at Bhabua in connection with Complaint Case No. 1350 of 2014.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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