

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28456 of 2015

Arising Out of PS.Case No. -138 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Pappu Kumar Son of Ram Pravesh Choudhary Resident of Village -
Raghopur, P.S. - Bakhtiyarpur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manju Devi W/o Pappu Kumar, D/o Kishundeo Choudhary at mohalla -
Nandgola, P.S. - Malsalami (Patna City), District - Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Singh
For the Opposite Party/s : Mr. Jagdhar Prasad (App)

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

2 24-07-2015 Heard learned counsels for the petitioner 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 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.

It is submitted that though the petitioner filed Matrimonial Case No. 576 of 2012 for divorce at earlier point of time but now the petitioner is ready to keep the complainant as

wife with full dignity and honour and will withdraw the matrimonial suit. Statement to the aforesaid effect has been made in paragraph no. 9 of the petition which reads as follows:

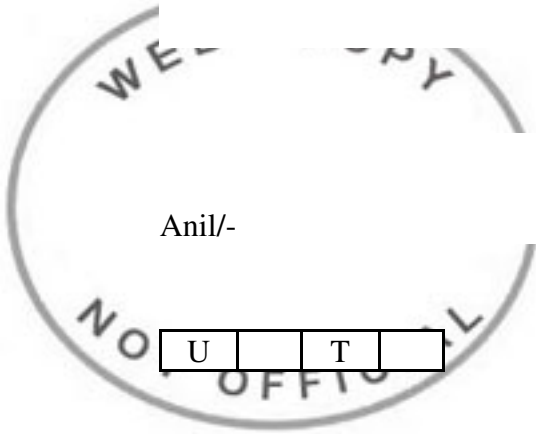
“That the petitioner never ousted to the complainant from her sasural and he is still ready to keep the complainant with honour.”

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 Patnacity in connection with Complaint Case No. 138C 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 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)