

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42816 of 2015

Arising Out of PS.Case No. -948 Year- 2012 Thana -COMPLAINT CASE District- JAMUI

Rabin Das @ Roben Das

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shree Niwas Singh

For the Opposite Party/s : Mr. Ashok Kr.Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-09-2015 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 process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant. It is further submitted that though, the complainant has performed second marriage with one Binod Das but the petitioner is still ready to keep the complainant as wife with full dignity and honour.

Statements to that effect has been made in para 10 and 8 of the petition which reads as follows:-

“10. That it is submitted that the opposite party no.2, the complainant, solemnized second marriage to a person named Binod Das.

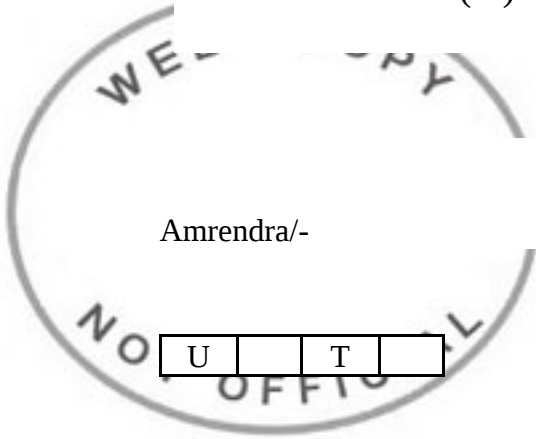
8. That in spite of all matters raised the petitioner is still ready to keep her with full dignity and honour, as wife.”

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Jamui in connection with Complaint Case No. 948C of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. 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 learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the

complainant fails to appear before the learned court below or
(iii) if the complainant gets reluctant to reconcile the issue.



Amrendra/-

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(Dinesh Kumar Singh, J)