

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33725 of 2015

Arising Out of PS.Case No. -1264 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Vivekanand Singh son of Chandrika singh, Resident of village and post office Sultanpur, Police- Station Mohaddinagar, District Samastipur

.... Petitioner/s

Versus

1. The State of Bihar
2. Pinki Singh wife of Vivekanand singh Resident of Village +Post Office Sultanpur, Police- Station Mohaddinavar, District Samastipur at present resident of at c/o Ramakant singh village+Post office Chechar Dih, Police- Station Biddupur, District Vaishali

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Kumar Singh
For the Opposite Party/s : Mr. Navin Kr. Panday (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-08-2015 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 Sections 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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 admits the marriage with the complainant having one handicapped child. Moreover

the petitioner is ready to keep the informant and child with full dignity and honour. A statement to that effect has been made in para 14 of the petition which reads as follows:-

“That, the petitioner is ready to keep his wife(complainant) with full honour and dignity”

It is submitted by learned counsel for the complainant, on instruction that complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before learned Court below on 27th of August, 2015, when the petitioner will take the complainant along with child to her matrimonial house to keep them with full dignity and honour.

Considering the present stand of the parties, 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. 1264 of 2014, Sessions Trial No. 4633 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.

Shageer/-

(Dinesh Kumar Singh, J)

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