

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37762 of 2015

Arising Out of PS.Case No. -689 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Rakesh Kumar @ Chottu Son of Ramsaran Mistry resident of village -
Daultpur, P.S. Athmalgola, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Aradhana Devi @ Gunga Wife of Rakesh Kumar @ Chottu R/o
Daultpur, P.S. Athmalgola, District - Patna Presently residing of village -
Burarichak, P.S. Barh, Distt. - Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey
For the Opposite Party/s : Mr. Ashok Kr.Singh No.1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-08-2015 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 Dowry Prohibition Act.

The basic accusation is of torture for non
fulfillment of dowry demands.

On instruction it is submitted that the petitioner
admits his marriage with the complainant and is ready to

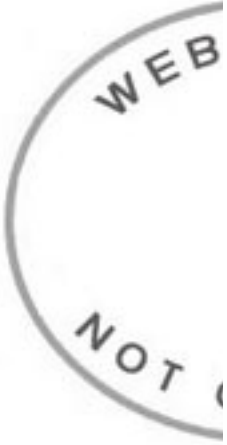
keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 11 of the petition which reads as follows:

“That the petitioner is still ready to keep the complainant at his house with full dignity honour and love and affection.”

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 Barh, Patna in connection with Complaint Case No. 689C 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)

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