

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34178 of 2015

Arising Out of PS.Case No. -1016 Year- 2013 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Sonu Khan Son of Late Hadish Khan resident of village - Shekhpura (Daranagar), P.S. Nauhatta, District - Rohtas

.... Petitioner/s

Versus

1. The State of Bihar
2. Sabina Khatoon Wife of Sonu Khan, D/o Late Shera Khan resident of village - Lerua, P.S. Sasaram (Town), District - Rohtas

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party/s : Mr. Murlidhar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-08-2015

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 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

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

On instructions, it is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant in the year 2005 and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 11 of the petition which reads as follows:-

“That the petitioner has

got all love and affection of the victim lady and

is ready to take her in matrimonial home and
keep with all honour and dignity and tried to full
all her requirement”

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,
Rohtas at Sasaram in connection with Complaint Case No.
1016 of 2013.

Let learned Court below issue notice to the
complainant and fix a date for her appearance. On appearance,
the petitioner will take the complainant to her matrimonial
house to keep her as wife with full dignity and honour.

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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