

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41273 of 2014

Arising Out of PS.Case No. -1423 Year- 2007 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

=====

1. Vijay Kumar S/o Late Ram Bilas Rai R/o Village - Vikrampur, P.S. -
Tajpur, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rina Sinha

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

=====

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

2 12-03-2015 Heard learned counsels for the petitioner and

the State.

The petitioner being the husband of the sister
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.

On instructions, it is submitted that the
petitioner is ready to keep the complainant as wife with

full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 8 of the petition which reads as follows:

“That, the petitioner is ready to keep his wife with full dignity and love.”

Considering the fact that the present complaint was filed in 2007, this court is reluctant to interfere in the matter but considering the present stand of the petitioner and nature of accusation, let the above named petitioner be released on provisional anticipatory bail for three months 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 Vaishali at Hajipur in connection with Complaint Case No. 1423 of 2007 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)

Anil/-

U		T	
---	--	---	--