

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42936 of 2014

Arising Out of PS.Case No. -2712 Year- 2012 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Rajesh Sah son of Indrasan Sah resident of Village+Po-Hussepur, P.S.-
Bhorey, District-Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. Giryia Devi Wife of Rajesh Sah and Daughter of Bikrama Sah
Village+PO- Hussepur Ps. Bhorey, District-Gopalganj, Present Residing at
Gosai Manjha,P.S.-Phulwaria,District-Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta

For the Opposite Party/s : Mr. Surendra Pd.Singh(App)

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

2 02-03-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband is apprehending arrest
in a complaint case in which processes were directed to be issued
after cognizance being taken under Sections 498A and 406 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. 6 of the petition.

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 Gopalganj in connection with Complaint Case No.2712 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 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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