

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35890 of 2015

Arising Out of PS.Case No. -1381 Year- 2014 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Suresh Rai son of Late Nirsal Rai, resident of Village- Chhoti Bhandsar,
Police Station- Kanhauli, District-Sitamarhi

.... Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi W/O Suresh Rai, Village-Chhoti Bhandsar, P.S. Kanhauli,
District- Sitamarhi and D/O Ramshreshth Khirhari, at present of Village
+ P.S- Bari Bhandsar, District Malangwa Sarlahi (Nepal)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Pd. Yadav

For the Opposite Party/s : Mr. Mukesh Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-08-2015 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 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 present complaint has been filed
after about twelve years of marriage and petitioner is still ready
to keep the complainant as wife with full dignity and honour. A
statement to that effect has been made in para 9 of the petition
which reads as follows:-

“That the petitioner always kept his

wife with proper respect and regard and still ready to keep his wife/complainant with all dignity provided that she comes and live with him at his native place.”

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, Sitamarhi in connection with Complaint Case No. C-1381 of 2014.

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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