

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44366 of 2014

Arising Out of PS.Case No. -68 Year- 2014 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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Guddu Sah @ Guddu Kumar Sah Son of Devki Sah Resident of Village -
Pipari, P.S. - Sakra, Distt. - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ambika Devi Wife of Guddu Sah, D/o Rajeshwar Sah Resident of
Village and Post- Harpur Rewari, P.S. - Angarghat, Distt. - Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 03-04-2015

Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

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

Notices were issued to the complainant-opposite party no. 2 vide order dated 23.12.2014 on submission of learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour.

The complainant is present and ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 27th of April, 2015 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Dalsinghsarai, Samastipur in connection with Complaint Case No. 68 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the

issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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