

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45796 of 2014

Arising Out of PS.Case No. -521 Year- 2012 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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Sunil Choudhary Son of Sadhu Choudhary Resident of Village - Chakand
Bazar, Patwa Toli, P.S. - Chakand, District - Gaya.

.... Petitioner/s

Versus

1. The State of Bihar
2. Lillawati Devi W/o Sunil Choudhary, Village – Biratpur, P.O.
Aurangabad, P.S. – Aurangabad, District – Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

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

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

03/ 24-03-2015

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.

The marriage between the petitioner and the
complainant is admitted having no issue.



Notices were issued to the complainant-opposite party no. 2 vide order dated 24.12.2014 on submission of learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para 6 of the petition, which reads as follows:- **“That petitioner is always ready to keep his wife and he never tortured to his wife for dowry nor demanded any things from the complainant.”**

In pursuance to the notice the complainant has appeared through her lawyer and she is ready to accept the offer of the petitioner but she is apprehensive due to the past conduct of the petitioner.

Both sides agree to appear before the learned court below on 7th 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 Chief Judicial Magistrate, Aurangabad in connection with Complaint

Case No. 521 of 2012, 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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