

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39419 of 2015

Arising Out of PS.Case No. -242 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Sonu Ram @ Sonu Kumar son of Thakuri Ram, resident of village
Stuvarganj (Mohania) P.S. Mohania, District Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sunita Devi wife of Sonu Ram D/o Sukar Ram, present address village
Chhotaki Chenari (Dih), P.S. Shiosagar, District Rohtas at Sasaram.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

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

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

02/ 27-08-2015

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
process has been directed to be issued after cognizance being
taken for the offences punishable under Section 406, 498A of the
Indian Penal Code and 4 of Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that
the petitioner admits his marriage with the complainant in 1998

and having five children out of the wedlock. The petitioner is still ready to keep the complainant and the children with dignity and honour. Statement to that effect has been made in paragraph 13 of the petition, which reads as follows:- **“That the petitioner is ever ready to keep with the complainant with all respect and dignity but she has not ready to live with the old father and mother of the petitioner.”**

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner but she is apprehensive due to the attitude of the petitioner.

Both sides agree to appear before the learned court below on 5th of October, 2015 when the petitioner will take the complainant and children to keep them with 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, Rohtas at Sasaram in connection with Complaint Case No. 242 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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