

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41875 of 2015

Arising Out of PS.Case No. -1979 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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Anjesh Kumar Pandit

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Mishra

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-09-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant. The petitioner filed Matrimonial Case No. 195 of 2013 under Section 9 of the Hindu Marriage Act for restitution of conjugal but in spite of order of learned Principal Judge, Sitamarhi the complainant was not ready to live with the petitioner and the 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 it is relevant that the petitioner wants to live with complainant with full honour and dignity.”

Considering the present stand of the petitioner, let the above named petitioner be released on anticipatory bail 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Sitamarhi in connection with Complaint Case No. C-1 of 1979 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The grant of bail to the petitioner will not preclude the complainant to resume the conjugal life and if she files any such application before the learned court below then the learned court below will issue notice to the petitioner when the petitioner will be obliged to comply the undertaking given before this Court.

(Dinesh Kumar Singh, J)

Amrendra/-

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