

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49231 of 2014

Arising Out of PS.Case No. -159 Year- 2013 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Rajesh Gupta @ Rajesh Kumar Sah S/o Sahdeo Sah Resident of Village
- Salempur, Police Station- Amarpur. District - Banka.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ajay Mukherjee

For the Opposite Party : Mr. Anant Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-03-2015

Petitioner being husband of the complainant

is apprehending his arrest in a complaint case in which
processes have been directed to be issued after cognizance
being taken for the offences punishable under Section 498A of
the I.P.C 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 petitioner is ready to keep the
complainant as wife with full dignity and honour. A statement
to that effect has been made in para 10 of the petition which
reads as follows:-

“That the petitioner is ready
to keep the complainant with full dignity and
honour as wife but she not want to live with

her husband”

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, Bhagalpur in connection with Complaint Case No. 159 of 2013.

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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