

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.195 of 2015

Arising Out of PS.Case No. -1861 Year- 2013 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

- =====
1. Srawan Bhagat @ Srawan Kumar Bhagat son of Kamli Bhagat @ Kamleshwari Bhagat
 2. Kamli Bhagat @ Kamleshwari Bhagat son of Badri Bhagat
 3. Palo Devi @ Parmila Devi wife of Kamli Bhagat @ Kamleshwari Bhagat
- All residents of Village- Sanokhar, P.S.- Sanokhar, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Sunil Kumar Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-01-2015 Heard learned counsel for the petitioners and the State.

Petitioner no.1 being the husband, and petitioners no.2 and 3 being father-in-law and mother-in-law are apprehending their 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 Indian Penal Code.

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

On instruction it is submitted by the learned counsel for the petitioners that husband of the complainant is petitioner

no.1 who is ready to keep the complainant as wife with full dignity and honour.

Considering the present stand of the petitioner no.1, let petitioner no.1 be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below tithing a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of S.D.J.M, Bhagalpur in connection with complaint case No. 1861 of 2013, subject to the conditions as laid down under section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant on her appearance and the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner no.1 will be confirmed within one year by the learned court below in three eventualities:-

(1) 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 below.

Considering the stand of the petitioner no.1 let the petitioners no.2 and 3 being father-in-law and mother-in-law in the event of their arrest or surrender in the court below within a period of twelve weeks from today be released on anticipatory bail on furnishing bail bonds of Rs. 10000/- (ten thousand) with two sureties of like amount each to the satisfaction of S.D.J.M, Bhagalpur in connection with complaint case No.1861/2013, subject to the conditions as laid down under section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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