

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47031 of 2014

Arising Out of PS.Case No. -508 Year- 2013 Thana -PATNA COMPLAINT CASE District-
SEKHPURA

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1. Jitendra Kumar son of Dharmendra Sao resident of village - Lakhisarai
Naya Bazar, Bazar Samiti Near Pir Baba, Police STation - Lakhisarai,
District - Lakhisarai

.... Petitioner/s

Versus

1. The State of Bihar
2. Laxmi Devi wife of Jitendra Kumar, D/o Late Vijay Sah resident of
Lakhisarai, Naya Bazar, Bazar Samity, side of Pir Baba, P.S. Lakhisarai,
District - Lakhisarai

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar
For the Opposite Party/s : Mr. Manoj Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-04-2015 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 processes were directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

On instructions, it is submitted that the petitioner is ready to keep the complainant as wife with full dignity

and honour. Statement to the aforesaid effect has been made in paragraph no. 10 of the petition, the relevant portion of which reads as follows:

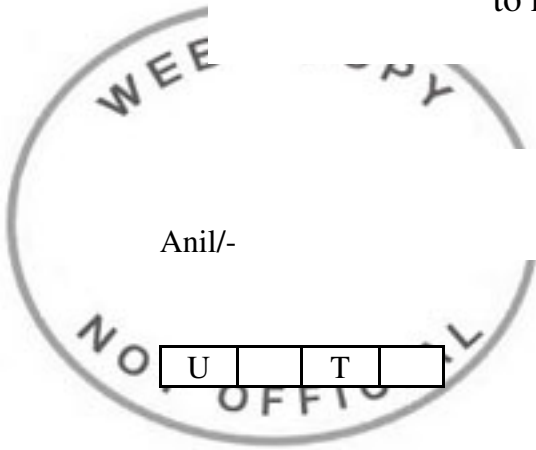
“.....the petitioner is ready to keep the complainant as his wife with full honour and dignity.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Barh, Patna in connection with Complaint Case No. 508C 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 and on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court

below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.



(Dinesh Kumar Singh, J)