

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46309 of 2014

Arising Out of PS.Case No. -297 Year- 2013 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Kamlesh Yadav @ Kamlesh Kumar Yadav Son of Late Sitaram yadav
Resident of Village - Gonoura (Bela), P.S.-Bheja, Dist.-Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit

For the Opposite Party/s : Mr. Pranav 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,

complainant 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 16 of the petition.

The factum of marriage between the petitioner and the complainant having no child is admitted fact.

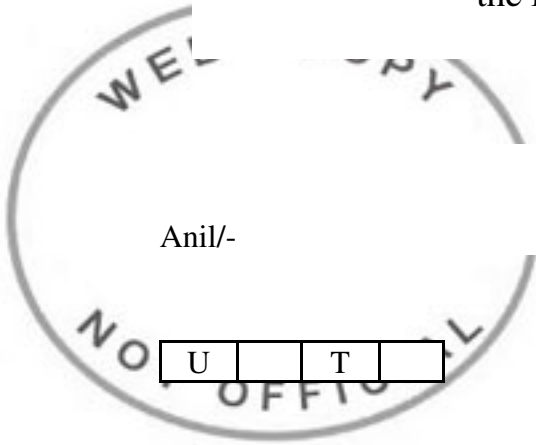
Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner. Both petitioner and the complainant agree to appear before the learned court below on 30.4.2015 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

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 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 Jhanjharpur in connection with Complaint Case No. 297 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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)