

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45307 of 2014

Arising Out of PS.Case No. -1472 Year- 2011 Thana -COMPLAINT CASE District- BANKA

1. Babu Lal Yadav S/o Kameshwar Marik Resident of Village - Debpura,
Police Station - Mohanpur, District - Deoghar.

.... Petitioner

Versus

1. The State of Bihar.
2. Rina Devi W/o Babulal Yadav R/o Village - Devpura, P.S. - Mohanpur,
Distt. - Deoghar, At present D/o Kamalu Yadav, Resident of Village -
Barakola, P.S. - Katoria, District - Banka.

.... Opposite Parties

Appearance :

For the Petitioner : Mr. Ajay Mukherjee

For the Opposite Parties : Mr. Asha Devi(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 27-04-2015

Petitioner being husband of the complainant

is apprehending his arrest in a complaint case wherein
processes were 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 basic accusation is of torture for non-
fulfilment of dowry demand.

The notices were issued to O.P. No. 2 the
complainant vide order dated 23.12.2014 on submission of
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 11 of the petition
which reads as follows:-

“That the petitioner is still
ready to keep the complainant as wife with all love

and affection.....”

The complainant is present and she is ready to accept the offer of the petitioner.

The marriage between the petitioner and the complainant having no issue is admitted facts.

Both sides agree to appear before learned Court below on 11th of May, 2015 when the petitioner will take the complainant to her matrimonial house to keep her with full dignity and honour.

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, Banka in connection with Complaint Case No. 1472 of 2011.

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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