

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44021 of 2014

Arising Out of PS.Case No. -396 Year- 2012 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

=====

Niraj Pandey S/o Harendra Pandey Resident of Vill . Chak Alhaad
P.S. Distt. Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Parijat Saurav

For the Opposite Party : Mr. Sanjay Kr.Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 11-05-2015

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 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfilment of dowry demand.

The notices were issued to the
complainant/O.P. No. 2 vide order dated 17.12.2014 on
submission of learned counsel for the petitioner, on instruction
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 present petitioner is willing to
keep her wife.....”

The ordinary process of notice was also

directed to be served to the counsel appearing on behalf of complainant/O.P. No. 2 before learned Court below. On 07.04.2015 none has appeared when the matter was adjourned for 11.05.2015. Today also none is appearing on behalf of O.P. No. 2.

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 Chief Judicial Magistrate, Muzaffarpur in connection with Complaint Case No. 396 of 2012.

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)

Shageer/-

U		T	
---	--	---	--