

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47290 of 2015

Arising Out of PS.Case No. -214 Year- 2014 Thana -MAHILA P.S. District- BHOJPUR

Chandan Ray

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate

For the Opposite Party/s : Mr. Anish Chandra(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 06-10-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under sections 341, 323, 379, 498A, 504/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

On instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and he 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:-

"11. That the petitioner is still ready to keep the complainant 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhojpur in connection with Bhojpur Mahila P.S. Case No.214 of 2014 arising out of Complaint Case No.1396 C of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. 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 learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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