

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54160 of 2015

Arising Out of PS.Case No. -527 Year- 2014 Thana -SHEKHPURA COMPLAINT CASE District-
SEKHPURA

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Sanjit Kumar S/o Raghunandan Mahto, resident of village Kasar P.S.
Ariyari District Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar
2. Kriti Rani W/o Sanjit Kumar, D/o Bhagirath Mahto, Resident of village-
Chorwar, PS- Ariyari Dist Sheikhpura.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Fazal Rahman

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-12-2015 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 498A and 504 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It appears that the learned Sessions Judge disposed of the anticipatory bail application of the petitioner in view of the ratio **Salim Ansare @ Md. Salim Ansare and Others Vs. The State of Bihar & Another** reported in **2015 (3) PLJR, 806 (Cr.**

Misc. No. 51075 of 2014) since only the summons were issued.

It is submitted by learned counsel for the petitioner that now the warrant of arrest has been issued, statement to that effect has been made in para 2 of the supplementary affidavit.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 8 of the petition which reads as follows:-

“That.. However, the petitioner is ready to keep her with dignity and honour.”

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 SDJM, Sheikhpura in connection with Complaint Case No. 527C 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)

Amrendra/-

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