

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24485 of 2015

Arising Out of PS.Case No. -1276 Year- 2012 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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1. Bhola Sharma son of Baban Sharma, r/o village- Nandan P.S. Dumraon,
Distt. Buxer.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Lalita Devi wife of Bhola Sharma r/o village Mathia Muhalla Buxer, P.S.
Buxer(T) Distt. Buxer.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Binod Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 29-06-2015 Heard learned counsels for the petitioner and

the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code and section 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 no. 8 of the petition which reads as follows:

“That the petitioner is the husband of the complainant and he is always ready to keep her with full dignity and care.”

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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Buxar in connection with Complaint Case No. 1276C of 2012 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and 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 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)

Anil/-

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