

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.13175 of 2015**

Arising Out of PS.Case No. -999 Year- 2013 Thana -NALANDA COMPLAINT CASE District-  
NALANDA (BIHARSHARIFF)

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Rana Diwakar @ Santu S/o Suresh Ram

.... .... Petitioner/s

Versus

1. The State of Bihar

2. Alpana Devi @ Guria Wife of Rana Diwakar, daughter of Sachita Nand Singh

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Rina Sinha(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      31-03-2015

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, 323 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

The marriage between the petitioner and the complainant and out of wedlock there is no issue are admitted fact.

On instruction, learned counsel for the petitioner

submits that the petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 9 of the petition which reads as follows:-

*"9. ....he is ready to keep his wife with him with honour and dignity ....."*

It is submitted by learned counsel for the complainant that the complainant accepts the offer of the petitioner.

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 Chief Judicial Magistrate, Biharsharif, Nalanda in connection with Complaint Case No.999 C of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Both sides shall appear before the learned court below on 20<sup>th</sup> April 2015 when 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.

Ashwini/-

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**(Dinesh Kumar Singh, J)**