

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15841 of 2015

Arising Out of PS.Case No. -1795 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

=====

1. Puran Das son of Musafir Das resident of village Kora Bharauli,
Singhwara, District Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anjila Devi daughter of Prem Lal Das resident of village and P.O.
Deoganj, P.S. Katra, District Muzaffarpur.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 28-08-2015 Heard learned counsels for the petitioner,

complainant 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 Sections 498A of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

On joint prayer, the matter was referred to the Mediation Centre of State Legal Services Authorities. The report

of the Mediator at Flag - A dated 13.7.2015 reflects that the issue could not be resolved between the parties through mediation.

The petitioner and the complainant are present. The petitioner admits his marriage with the complainant. It is submitted that the petitioner is ready to keep the complainant as wife with full dignity and honour though statement to the aforesaid effect has not been made in the petition.

The petitioner works as cook in a private house at Banglore, hence, the petitioner seeks two months time to make arrangement for accommodation of the complainant.

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner. Both petitioner and the complainant agree to appear before the learned court below on 9.11.2015 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 JM Ist Class, Muzaffarpur in connection with Complaint Case No.

1795 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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/-

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