

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34591 of 2014

Arising Out of PS.Case No. -2015 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Dinesh Ram S/o Kailash Ram
2. Kailash Ram S/o Late Ram Ishwar Ram
Both Resident of Bhawdepur, Ward No. 13, P.S. Riga, District
Sitamarhi.

..... Petitioner/s

Versus

1. The State of Bihar.
2. Chandani Devi W/o Dinesh Ram, D/o Late Sitaram Ram Resident of
Mohanpur, P.S. + District Sitamarhi.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh(APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-03-2015 Heard learned counsel for the petitioners and the
State.

The petitioner no. 1 being the husband of the complainant and petitioner no. 2 being the father of petitioner no. 1 are apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and 4 of the Dowry Prohibition Act.

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

On instruction it is submitted by learned counsel for the petitioner no. 1 that the petitioner no. 1 is ready to keep

the complainant as wife with full dignity and honour. Statement to that effect has been made in para-9 of the petition.

Considering the present stand of the petitioner no. 1, let the above named petitioner no. 1 be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar, Sitamarhi in connection with Complaint Case No. C-1/2015 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant on her appearance the petitioner no. 1 will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner no. 1 will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

Considering the stand of petitioner no. 1, let the above named petitioner no. 2 be released on bail in the event of

his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar, Sitamarhi in connection with C-1/2015 of 2013, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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