

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9725 of 2015

Arising Out of PS.Case No. -555 Year- 2014 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

=====

1. Rohan Kumar Son of Manik Chandra @ Manik Chand Hari R/o West
Railway Colony, Bhagalpur Quarter No. 5B, P.S. Rail Police Station
District Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Dipa Kumari Wife of Rohan Kumar , D/o Diensh Hari R/o Mohalla
Bikramshila Colony, Tilkamanjhi, District Bhagalpur

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma

For the Opposite Party/s : Mr. T.P.Mandal (App)

=====

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

2 21-04-2015 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 Section
498A of the Indian Penal Code and sections 3 and 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. It is further submitted that the petitioner filed Matrimonial Case for restitution of conjugal right at earlier point of time.

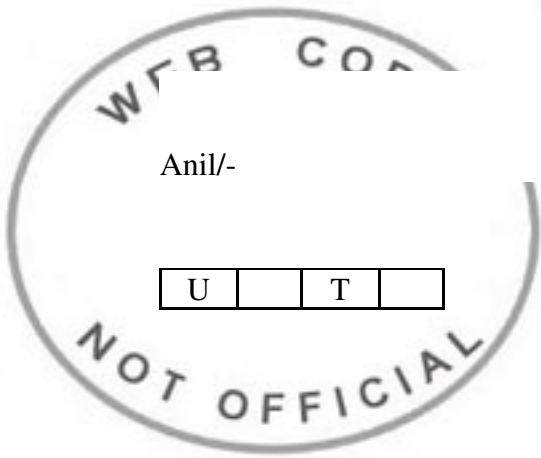
The factum of marriage between the petitioner and the complainant is admitted fact.

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 4.5.2015 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 SDJM Bhagalpur in connection with Complaint Case No. 555 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.



Anil/-

(Dinesh Kumar Singh, J)