

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7779 of 2015

Arising Out of PS.Case No. -614 Year- 2013 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Sanjay Kumar Singh s/o Shiv Narain Prasad Singh, Resident of Village -
Mathurapur, P.S. - Khagaria, District - Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nitu Kumari, W/o Sanjay Kumar Singh, D/o Kalanand Prasad Singh,
Resident of Mohalla - Gandhi Nagar, P.S. - K. Hat, District - Purnea.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

02/ 26-02-2015

Heard learned counsels for the petitioner and
the State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case filed
for the offences punishable under Sections 498A/34, 315/511,
379 of the Indian Penal Code and 4 of Dowry Prohibition Act.

The accusation is of torture for non-fulfillment
of the dowry demand and making attempt to get the pregnancy
terminated.

On instruction it is submitted by learned
counsel for the petitioner that the petitioner is ready to keep the

complainant as wife with full dignity. Statement to that effect has been made in para 12 of the petition, which reads as follows:- **“That it is stated that petitioner is ready to keep the opposite party no. 2 with full dignity and honour.”** It is further submitted that the petitioner has also filed restitution case for restitution of conjugal life.

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 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, Purnea in connection with Complaint Case No. 614 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 will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner 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.

(Dinesh Kumar Singh, J)

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