

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4121 of 2015

Arising Out of PS.Case No. -619 Year- 2013 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Rajiv Kumar Sharma Son of Binod Sharma Resident of Village -
Pipratoli, P.S. - Khunti, District - Khunti (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar.
2. Abhaya Shree Wife of Rajiv Kumar Sharma, C/o Sri Jai Prakash
Sharma, At present address at Mirchaibari, P.S. + District - Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Shekhar Sharma
For the Opposite Party/s : Mr. Murlidhar(App)

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

2 30-01-2015 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband is apprehending

arrest in a complaint case in which processes were directed to

be issued after cognizance being taken under Section 498A/34

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. Statement to the aforesaid effect has been made in paragraph no. 6 of the petition which reads as follows:

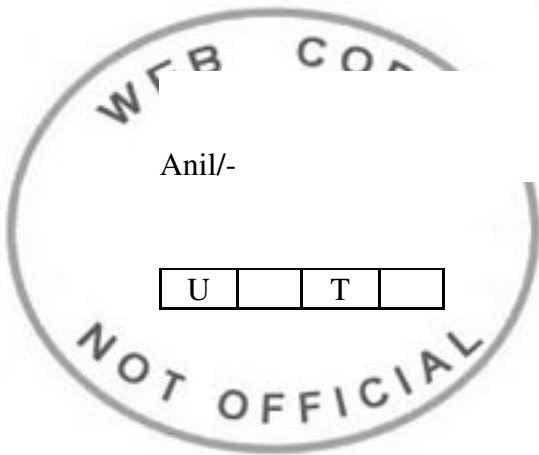
“That the petitioner is the husband of the complainant and ready to keep his wife with full honour and dignity.”

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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM Katihar in connection with Complaint Case No. 619 of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and 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 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)