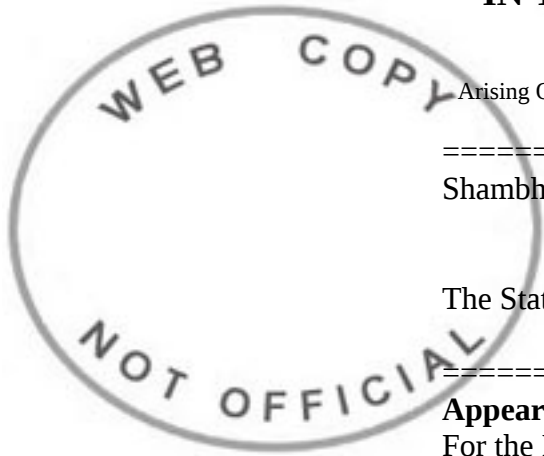




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11805 of 2015

Arising Out of PS.Case No. -300 Year- 2013 Thana -SHEKHPURA COMPLAINT CASE District-
SEKHPURA

=====

Shambhu Pandit

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dr. Anjani Pd. Singh, Advocate.

For the Opposite Party : Mr. Asha Kumari (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-03-2015 Heard the learned counsels for the

petitioner and the State.

The petitioner being the husband of the complainant is apprehending his arrest in complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 498(A) and 354 of the Indian Penal Code.

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

It is submitted by learned counsel for the petitioner that accusation of torture has been levelled after twenty years of marriage and earlier also the complainant filed a case with similar

accusation wherein the petitioner has been granted bail. It is further submitted that the petitioner is ready to keep the complainant as wife with full dignity and honour though statement to that effect has not been made in the petition.

Considering the present stand of the petitioner, let the petitioner, above named, 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 in connection with Complaint Case No. 300C of 2013 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sheikhpura, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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.e., (i) if the matrimonial harmony is substantially restored within one year (ii) or

the complainant fails to appear before the learned court below (iii) or she gets reluctant to reconcile the issue.

U.K./-

(Dinesh Kumar Singh, J)

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