

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27188 of 2014

Arising Out of PS.Case No. -2075 Year- 2012 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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Jai Chand Prasad

.... Petitioner.

Versus

1. The State of Bihar.
2. Sunita Devi.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Bachan Jee Ojha, Advocate.
For O.P. No. 2 : Mr. Ajay Kumar Pandey, Advocate.
For the State : Mrs.. Anusaiya Jaiswal(App).

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

8 27-03-2015 Heard the learned counsels for the
petitioner, complainant 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 498(A), 406/34 of the Indian Penal Code and 3/4 of the D. P. Act.

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

Notices were issued to the complainant-opposite party no. 2, vide order dated 07.07.2014 on submission made by learned counsel appearing on behalf of the petitioner that the petitioner is ready to keep the complainant as his wife with full

dignity and honour, a statement to that effect has been made in paragraph no. 7 of the petition which reads as follows:-

"7. That the petitioner is ready to keep his wife alongwith her baby with full respect and dignity."

It is submitted by learned counsel for the complainant that though the complainant is ready to accept the offer but the petitioner in pursuance to the order of the learned court below took the complainant to her matrimonial house but she was tortured.

Both sides agree to appear before the learned court below on 15.04.2015 when the petitioner will take back the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the petitioner, above named, be released on provisional anticipatory bail for six months 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. 2075 of 2012 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., Siwan, subject to the conditions as laid down under Section 438(2) of the Code of Criminal

Procedure.

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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