

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43853 of 2014

Arising Out of PS.Case No. -708 Year- 2011 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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Shyam Kumar Singh Son of Sri Deo Charan Prasad Resident of Village-
Saren, P.S. Makhdoompur, District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari D/O Sri Surendra Prasad, Wife of Sri Shyam Kumar Singh Resident of Village- Nausaharachak, P.S.- Ghoshi, District- Jehanabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Mistry

For the Opposite Party/s : Mr. Abhay Kr.Roy(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 23-02-2015

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 in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 406, 504, 498A of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

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

On readiness of the petitioner to keep the

complainant as wife with full dignity and honour, the notices were issued to the complainant vide order dated 15.12.2014.

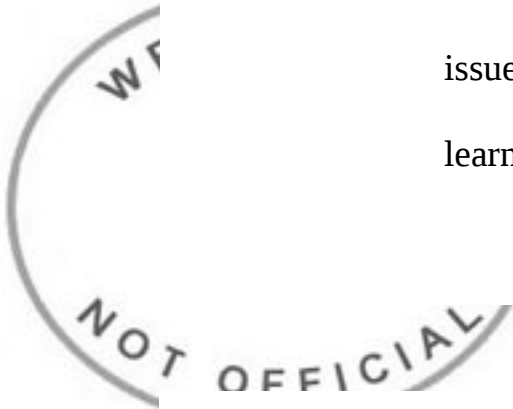
The petitioner and the complainant are present in the Court. The petitioner reiterates his earlier stand that he is ready to keep the complainant as wife with full dignity and honour. The offer is acceptable to the complainant but she is apprehensive of the petitioner due to his past conduct.

Both sides agree to appear before the learned court below on 9th of March, 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 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 Chief Judicial Magistrate, Jehanabad in connection with Complaint Case No. 708 of 2011, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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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