

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44513 of 2014

Arising Out of PS.Case No. -93 Year- 2013 Thana -BHOJPUR COMPLAINT CASE District-
BHOJPUR

=====

1. Hari Govind Sharma Son of Tota Sharma Resident of Village - Ahile,
P.S. - Narayanpur, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Anju Devi Daughter of Babulal Sharma Resident of Bagwan, P.S. -
Garahni, District - Bhojpur

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sunil Pathak

For the Opposite Party/s : Mr. Bharat Bhushan (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

3 30-03-2015 Heard learned counsels for the petitioner, complainant
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 Sections 498A and 323/34 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.

Notices were issued to the O.P. No. 2 vide order dated
16.12.2014 on submission of learned counsel for the petitioner that

he is ready to keep the O.P. No. 2 as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 9 of the petition. Marriage between the petitioner and O.P. No. 2 is admitted.

Learned counsel for the complainant is ready to accept the offer of the petitioner but she is apprehensive due to past conduct of the petitioner.

Both the petitioner and the complainant agree to appear before the learned court below on 15.4.2015 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 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, Ara in connection with Complaint Case No. 93C of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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)

Anil/-

U		T	
---	--	---	--