

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43760 of 2014

Arising Out of PS.Case No. -1164 Year- 2012 Thana -BHABHU(KAIMUR) COMPLAIN C
District- BHABHUA (KAIMUR)

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Dinesh Prasad

.... Petitioner

Versus

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

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Ajay Nandan Sahay, Advocate.
For the State : Mr. Ramchandra Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-02-2015 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 in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498(A), 323, 407 of the Indian Penal Code and 3/4 of the D. P. Act.

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

On instruction, it is submitted by learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour, a statement to that effect has been made in paragraph no. 9 of the petition which

reads as follows:-

"9. That the petitioner now is still ready to keep the complainant as wife with full dignity and honour even then he is having the living relationship with one widow, but it is the complainant who did not want to come back though it was she who created these circumstances with the petitioner otherwise he would not have taken such step to have any relation with the another lady, but now they are giving all the help to each other".

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. 1164 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., Bhabua, 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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