

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22711 of 2015

Arising Out of PS.Case No. -2967 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Amit Ray @ Amit Kumar Ray S/o Maheshwar Ray Resident of Mohalla
- Kainjul Bakardha, P.S. Patepur, District - Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Rita Devi W/o Manoj Thakur Resident of Mohalla - Kainjul Bakardha,
P.S. Patepur, District - Vaishali, At Present Residing Address - D/o
Harendra Ray, Village - Narainpur, Derhapura, P.S. Mahnar, District -
Vaishali

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha

For the Opposite Party/s : Mr. Dr. Indihar Kumari(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 24-06-2015 Heard learned counsels for the petitioner, complainant
and the State.

The petitioner being the husband of the complainant is
apprehending arrest in a complaint case in which processes were
directed to be issued after cognizance being taken under Section
498A 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. Marriage between the petitioner and the
complainant is admitted fact.

On instructions, it is submitted that the petitioner is

ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph 11 of the petition which reads as follows:

“That the petitioner being a responsible husband is ready to keep the complainant/wife with dignity and honour, safety and security.”

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner. Both petitioner and the complainant agree to appear before the learned court below on 20.7.2015 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 Vaishali at Hajipur in connection with Complaint Case No. 2967 of 2014 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/-

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