

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26768 of 2015

Arising Out of PS.Case No. -1175 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Deep Kumar Son of Satyanarain Lal, Resident at Quarter No. 2/41
C.M.P.F Colony, P.S. Sarai Dhola District Dhanbad

.... Petitioner/s

Versus

1. The State of Bihar

2. Deepa Devi Wife of Deep Kumar, Daughter of Munnu Mahto Resident
of Mohalla/village Tulsi Mandi, P.S. Alamganj, District Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha

For the Opposite Party/s : Mr. R.P.S Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-07-2015 Petitioner being husband of the complainant
is apprehending his arrest in a complaint case wherein
processes were directed to be issued after cognizance being
taken for the offences punishable under Sections 498A of the
Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfilment of dowry demand. The marriage between the
petitioner and the complainant and birth of two children are
admitted facts.

It is submitted by learned counsel for the
petitioner that petitioner also filed Matrimonial Case No. 37 of
2015 for restitution of conjugal life. Moreover subsequent to
filing of the present complaint on 23.09.2014 the complainant

has also filed another complaint being Complaint Case No. 1398 of 2014 on 25.11.2014 against the petitioner making accusation under Sections 323, 379, 504, 506 of the Indian Penal Code. It is further submitted, on instructions that petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 8 of the petition which reads as follows:-

“.....is ready to keep the complainant as wife with full honour and dignity.....”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna City in connection with Complaint Case No. 1175 of 2014.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial

harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

Shageer/-

(Dinesh Kumar Singh, J)

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