

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36823 of 2014

Arising Out of PS.Case No. -1242 Year- 2012 Thana -BHOJPUR COMPLAINT CASE District-
BHOJPUR

=====

Chandra Shekhar Kumar, S/o Vijay Kumar, Resident of village – Majhwari,
P.S. Simri, District – Buxar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi, W/o Chandra Shekhar Kumar, D/o Brij Bihari Ram,
Resident of Majhwari, P.S. Simri, District – Buxar at present resident of
village – Ayar, P.S. Agiaon Bazar, District – Bhojpur at Ara.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Rajiva Ranjan

For the Opposite Party/s : Mr. Ram Chandra Sahni(App)

=====

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

04/ 17-04-2015

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 wherein
processes have been directed to be issued after cognizance being
taken for the offences punishable under Sections 498A of the
Indian Penal Code and 4 of Dowry Prohibition Act.

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

Notices were issued to the complainant-opposite
party no. 2 vide order dated 20.02.2015 on submission of learned

counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para 7 of the petition, the relevant portion of which reads as follows:- **“That the petitioner is husband of the complainant and he is ready to keep his wife with full honour and dignity.”** The petitioner also filed Matrimonial Case No. 80 of 2014 for restitution of conjugal rights.

The petitioner and the complainant are present before the Court.

The marriage between the petitioner and the complainant having no issue is admitted fact.

The complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 30th of April, 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 Sub-

divisional Judicial Magistrate, Bhojpur at Ara in connection with Complaint Case No. 1242(c) of 2012, 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)

DKS/-

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