

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46850 of 2014

Arising Out of PS.Case No. -641 Year- 2012 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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1. Pramod Sah Son of Munni Lal Sah Resident of village - Tharbitiya,
Police Station - Phulparas, District - Madhubani

.... Petitioner

Versus

1. The State of Bihar
2. Komal Devi Wife of Pramod Sah and Daughter of Shiv Ratan Sah
Resident of village - Hulaspatti, Police Station - Phulpras, District -
Madhubani

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ashok Kumar Prasad

For the Opposite Parties : Mr. Binod Kr. 2(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-04-2015 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 Section 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.

On instructions, it is submitted by learned
counsel for the petitioner 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 9 of the petition, relevant
portion of which reads as follows:-

“That, it is stated that the
petitioner is the husband of the complainant and he

is ready to keep his wife(complainant) with full honour and dignity.....”

Moreover the petitioner has also filed Matrimonial Case No. 93 of 2013 for restitution of conjugal life.

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, Jhanjharpur, Madhubani in connection with Complaint Case No. 641 of 2012.

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.

(Dinesh Kumar Singh, J)

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