

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34012 of 2015

Arising Out of PS.Case No. -1525 Year- 2013 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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Arun Kumar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Samir Kumar Sinha

For the Opposite Party/s : Mr. Zainul Abedin (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 403, 323 and 504 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and birth of two children and is still ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 11 of the petition which reads as follows:-

“That the petitioner wants to lead happy conjugal life and he always ready to keep her giving all honour and prestige to her.”

Learned counsel for the complainant, on instruction, submits that the complainant is ready to accept the offer of the petitioner provided excess taking of liquor.

Both sides agree to appear before the learned court below on 4th of September, 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 anticipatory bail 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Nalanda at Bihar Sharif in connection with Complaint Case No. 1525C of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The grant of bail to the petitioner will not preclude the complainant to file an application for cancellation of bail of the petitioner if the petitioner violates the undertaking given before this Court.

(Dinesh Kumar Singh, J)

Amrendra/-

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