

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39685 of 2015

Arising Out of PS.Case No. -836 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

Abhinav Pratiman @ Abhinow Pratiman Son of Thakur Prasad Singh
resident of Quarter No. L- 311, Shahpur Police station -Sindari, district
Dhanbad.

.... Petitioner/s

Versus

1. The State of Bihar
2. Beauty Kumari wife of Abhinav Pratiman ,daughter of Sri Avilakh
Singh resident of Village -Narama, P.O. Mauddinpur, Police Station -
Fatuha, District Patna.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madan Jeet Kumar

For the Opposite Party/s : Mr. Md.Arif (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 27-08-2015

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
process has been directed to be issued after cognizance being
taken for the offences punishable under Section 323, 498A, 504 of
the Indian Penal Code and 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non-

fulfillment of the dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner Matrimonial Suit No. 359 of 2014 for restitution of conjugal rites on 24.06.2014 and thereafter the present complaint has been filed on 14.07.2014. The petitioner is still ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph 11 of the petition, which reads as follows:- **“That the petitioner is ready to keep his wife with full dignity and honour.”**

Considering the present stand of the petitioner, 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 Additional Chief Judicial Magistrate, Patna City, District - Patna in connection with Complaint Case No. 836 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

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)

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