

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38879 of 2015

Arising Out of PS.Case No. -1912 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Sanjiv Kumar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1

For the Opposite Party/s : Mr. Sanjay Kr.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-08-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been 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 accusation is of torture for non-fulfillment of the dowry demand.

It is submitted by 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 10 of the petition, relevant portion of the same reads as follows:-

“That it is relevant to mention here that the petitioner is still ready to keep her with full prestige and dignity.”

It is further submitted that similar was the stand of the petitioner before the learned court below but the complainant was not ready to accept the offer of the petitioner as she was apprehensive due to past conduct of the petitioner.

Considering the aforesaid facts, 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 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Vaishali at Hajipur in connection with Complaint Case No. 1912 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The present order will not preclude the complainant to resume the conjugal life. If she files such an application before the learned court below then the learned court below will issue notice to the petitioner when the petitioner will be obliged to comply the undertaking given before this Court.

(Dinesh Kumar Singh, J)

Amrendra/-

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