

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40578 of 2015

Arising Out of PS.Case No. -338 Year- 2014 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Shyambali Kumar @ Shyambali Kumar Singh Son of Yamun Singh @
Jamun Singh, Resident of Village - Sirasi, Police Station - Harnaut, District
- Nalanda at Biharsharif.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Siranchali Kumari, Wife of Shyambali Kumar @ Shyambali Kumar
Singh, Resident of Village Sirasi Dihara Resident of Village - Sirasi
Dihara, Police Station - Harnaut, District - Nalanda at Biharsharif Daughter
of Ram Kripal Singh Presently residing at village - Narasanda, Police
Station - Chandi, District - Nalanda at Biharsharif.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh(App)

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

2 28-08-2015 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the
complainant is apprehending his arrest in a complaint case in
which processes have been directed to be issued after
cognizance being taken for the offences punishable under
Sections 323, 498A, 504 of the Indian Penal Code and 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 admits the marriage with the complainant and he 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 which reads as follows:-

“That, petitioner is always ready to keep the complainant opposite party no. 2 with full dignity and regard as wife .”

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 Sub-Divisional Judicial Magistrate, Hilsa, Nalanda in connection with Complaint Case No. 338C 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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