

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46990 of 2015

Arising Out of PS.Case No. -1060 Year- 2010 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

=====

Pintu Kumar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Kumar

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-10-2015

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 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 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 which reads as follows:-

“That ...the petitioner is ready to keep her wife with full dignity and honour...”

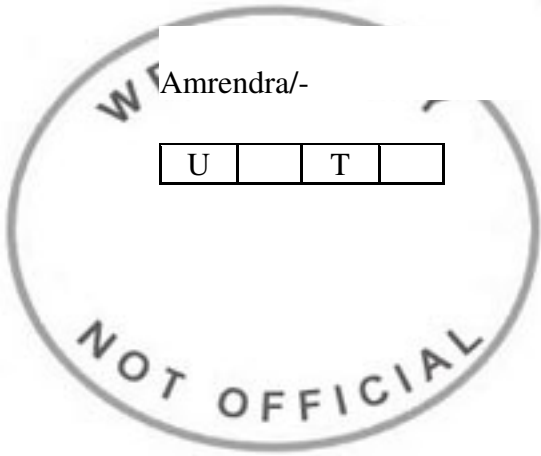
Similar was the stand of the petitioner before the learned court below but the complainant refused to accept the offer of the petitioner.

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 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, Jehanabad in connection with Complaint Case No. 1060 of 2010, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. 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 by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or

(iii) if the complainant gets reluctant to reconcile the issue.



(Dinesh Kumar Singh, J)