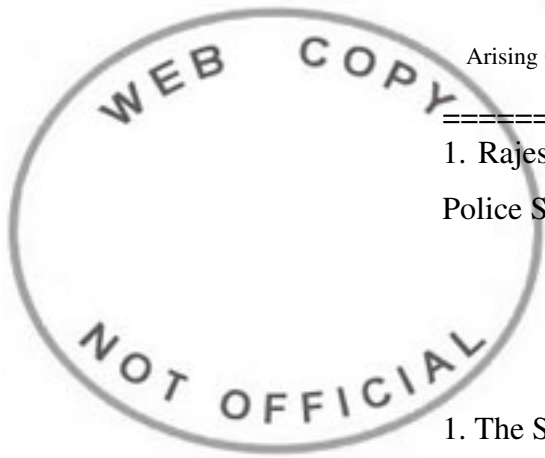


IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49831 of 2015



Arising Out of PS.Case No. -949 Year- 2013 Thana -KHAGARIA COMPALINT CASE District-KHAGARIA

=====

1. Rajesh Kumar Son of Late Nand Lal Mistri Resident of Farsi Mohalla,
Police Station Mokama, District Patna

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smita Kumari Daughter of Shankar Pandit, Resident of Rajdhani Book
Centre, Kachhari Road, Police Station Khagaria, District Khagaria.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh, Advocate

For the Opposite Party/s : Mr. Atul Chandra(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-10-2015 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 Section 498A 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- 13 of the petition which reads as follows:-

“That the petitioner is ready to keep his wife (the complainant) with full dignity.”

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, Khagaria in connection with Complaint Case No. 949C of 2013, 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)