

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34595 of 2015

Arising Out of Complaint Case No.274 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Deepak Chauhan S/o Vijay Prasad Resident of Village Chandi, P.S. Chandi, District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Mamta Devi W/o Deepak Chauhan, D/o Chhote Chauhan At present residing at Vishamvarpur, P.O. Datiyana, P.S. Vikram, District Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar Nirala
For the Opposite Party/s : Mr. Kr.Virendra Narayan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-08-2015 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 Sections 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.

On instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and he is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 7 of the petition which reads as follows:-

"7. That the petitioner is a man of means and kept his wife with honour and dignity at the time of marriage which has been accepted by the complainant herself. The petitioner further announce and steel ready to keep his wife with full honour and 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 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 Sub-Divisional Judicial Magistrate, Danapur in connection with Complaint Case No.274 C of 2014 , 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)

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