

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32680 of 2014

Arising Out of PS.Case No. -447 Year- 2013 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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1. Arun Kumar Paswan son of Anmol Paswan resident of village - Rahua (Kabaila Chak), P.S. Sour Bazar, District - Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Devi wife of Arun Kumar Paswan, D/o Shatrughan Paswan
resident of village - Daurma, P.S. Bihra, District - Saharsa

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the Opposite Party/s : Mr. Pushpa Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-02-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Section 323,498A and 406 of the Indian Penal Code.

The basic accusation is of torture for non fulfillment of dowry demands.

On instructions, it is submitted that the petitioner is ready to keep the complainant as wife with full dignity

and honour. Statement to the aforesaid effect has been made in paragraph no. 7 of the petition which reads as follows:

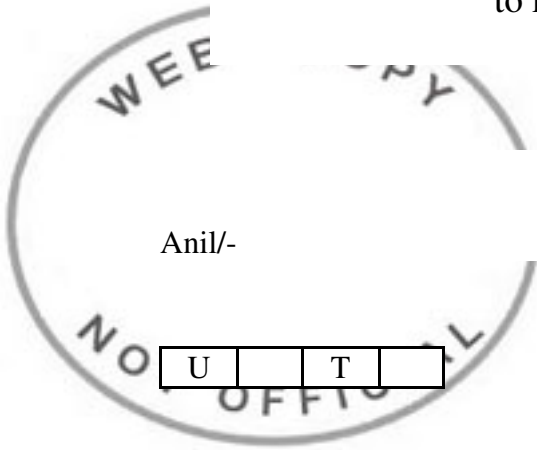
“The petitioner has never refused to discharge his liabilities of maintenance of the Complainant and he is still ready to keep her with full honour and dignity.”

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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Saharsa in connection with Complaint Case No. 447C of 2013 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and 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 the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court

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



(Dinesh Kumar Singh, J)