

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44703 of 2014

Arising Out of PS.Case No. -1166 Year- 2012 Thana -MADHEPURA COMPALINT CASE
District- MADHEPURA

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Santosh Kumar Son of Bhupendra Yadav Resident of village- Jhalari (Tola Yadavnagar), P.S.- Gwalpara, Dist.- Madhepura at Present resident of village- Maheshua, P.S.- Uda- Kishunganj, Dist.- Madhepura

.... Petitioner/s

Versus

1. The State of Bihar
2. Chandramani Devi W/o Santosh Kumar, D/o Late Ram Prasad Yadav Resident of village- Maheshwa, P.S.- Uda-Kishunganj, Dist.- Madhepura

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Anuj Kumar Srivastava (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 03-04-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the dowry demand.

Notices were issued to the complainant-opposite party no. 2 vide order dated 17.12.2014 on submission of learned

counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour.

The office note dated 02.04.2015 reflects that the ordinary process of notice has not returned as yet whereas undelivered registered cover has been returned with postal peon report that the addressee is not residing at given address.

It is submitted by learned counsel for the petitioner that the complainant residing with the cousin of the petitioner that's why she is not appearing, but even now the complainant appears and accepts the offer of the petitioner, petitioner is ready to keep her as wife with full dignity and honour.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail 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 Chief Judicial Magistrate, Madhepura in connection with Complaint Case No. 1166C of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The grant of bail will not preclude the complainant to resolve the issue. If such application is filed by the complainant

before the learned court below then the petitioner will be obliged
to take the complainant to keep her as wife with full dignity and
honour

(Dinesh Kumar Singh, J)

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