

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48242 of 2014

Arising Out of PS.Case No. -404 Year- 2013 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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1. Sanjeet Kumar S/o Chhabbu Mahto Resident of Village Paharpur, P.S. Bibhutipur, District Samastipur.

.... Petitioner

Versus

1. The State of Bihar.
2. Shabnam Kumari W/o Sanjeet Kumar, D/o Laxman Singh Resident of Village Basadhis, P.S. Dalsingsarai, District Samastipur.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sada Nand Ray

For the Opposite Parties : Mr. Ajay Kumar No.1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2015 Petitioner being 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 Sections 323, 379, 406, 498A, 120B, 34 of the I.P.C.

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

On instructions, it is submitted by learned counsel for the petitioner that petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 10 of the petition which reads as follows:-

“10. That the petitioner
is still ready to keep his wife and son

with full dignity provided proper than maintenance”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Dalsingsarai, Samastipur in connection with Complaint Case No. 404 of 2013.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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