

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13621 of 2015

Arising Out of PS.Case No. -1667 Year- 2013 Thana -SARAN COMPLAINT CASE District- SARAN

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1. Ajay Bhagat Son of Bhuneshwar Bhagat, resident of Village- Koreya, P.s- Bheldi, District- Saran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Deojhari Devi wife of Ajay Bhagat , D/o Balshwar Mahto resident of Village-Nandanpur,Ps. Taraiya, Distt-Saran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Singh

For the Opposite Party/s : Mr. L.K.Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-05-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband is apprehending arrest in a complaint case filed with accusation under Sections 323,147,148,379 and 498A of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

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. 9 of the petition which reads as follows:

“That from the very beginning, stand of petitioner is that he wants to live with Opposite party No. 2 which is mentioned in the impugned order.”

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 SDJM Saran at Chapra in connection with Complaint Case No. 1667 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)

Anil/-

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