

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17414 of 2015

Arising Out of PS.Case No. -4246 Year- 2012 Thana -PURNIA COMPLAINT CASE District-
PURNIA

=====

1. Ranjeet Bishwas Son of Nathu Lal Bishwas Resident of Village - Bigu,
P.S. Mahalgaon, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Binita Devi, Daughter of Laxmi Narayan Bishwas Resident of Pothia,
P.S. - Jalalgarh, District - Purnea.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh
For the Opposite Party/s : Mr. Arvind Kumar Pandey (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-05-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case filed with accusation under Sections 498A and 323 of the Indian Penal Code and section 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, the relevant portion of which reads

as follows:

“.....though the petitioner is still ready to keep the complainant with him as a duly wedded wife with full honour and dignity

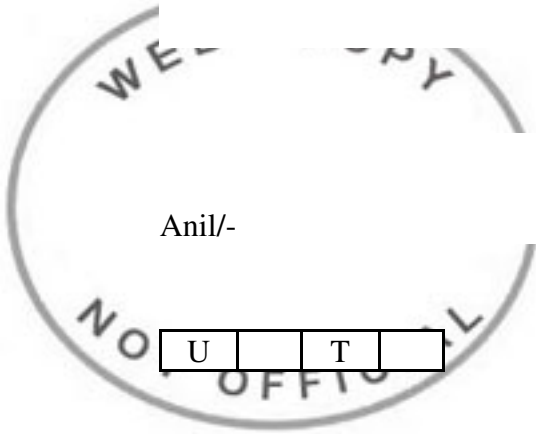
It is further submitted that similar was the stand of the petitioner before the learned court below but the issue could not be reconciled due to reluctance on the part of the complainant.

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 Purnea in connection with Complaint Case No. 4246 of 2012 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)