

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9779 of 2015

Arising Out of PS.Case No. -1023 Year- 2011 Thana -WEST CHAMPARAN COMPLAINT
District- WEST CHAMPARAN(BETTIAH)

Sanjeev Shailesh @ Bablu Srivastava

.... Petitioner

Versus

1. The State of Bihar.
2. Manorama Devi.

.... Opposite Parties.

Appearance :

For the Petitioner : Mr. Md. Mokhtar Ansari, Advocate.
For the State : Mr. Nityanand Tiwary(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-03-2015 Heard the learned counsels for the
petitioner and the State.

The petitioner being the husband of the complainant is apprehending his arrest in complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498(A) of the Indian Penal Code.

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

On instruction, it is submitted by learned counsel for the petitioner that the petitioner is ready to keep the complainant as wife with full dignity and honour, a statement to that effect has been made in paragraph no.7 of the petition which

reads as follows:-

"That the petitioner is ready to keep the complainant but the complainant herself does not want to live with this petitioner at her matrimonial home and only she wants money. It is further.....several years."

It is further submitted that the complainant has deserted the petitioner since 2004 and right now the petitioner is admitted in Ruban Memorial Hospital, Patliputra Golambar, Patna, but the complainant never visited to attend the petitioner.

Considering the present stand of the petitioner, let the petitioner, above named, 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 in connection with Complaint Case No. 1023 of 2011(Tr. No. 5144 of 2014) on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Bagaha, West Champaran, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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.e., (i) if the matrimonial harmony is substantially restored within one year (ii) or the complainant fails to appear before the learned court below (iii) or she gets reluctant to reconcile the issue.

U.K./-

(Dinesh Kumar Singh, J)

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