

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11178 of 2015

Arising Out of PS.Case No. -2423 Year- 2012 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

- =====
1. Dinesh Chandra Jha.
 2. Chhama Devi.

.... Petitioners

Versus

1. The State of Bihar.
2. Kavita Pathak.

.... Opposite Parties.

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Appearance :

For the Petitioners : Mr. Bibhuti Pd. Pandey, Sr. Advocate.

For the State : Mr. Parmanand Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-03-2015 Heard the learned senior counsel for the
petitioners and learned A.P.P. for the State.

The petitioner no. 1 being the husband of
the complainant and petitioner no. 2 being the
mother of petitioner no. 1 are apprehending their
arrest in a complaint case wherein processes have
been directed to be issued after cognizance being
taken for the offences punishable under Sections
498(A), 323 and 379 of the Indian Penal Code.

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

On instruction, it is submitted by learned
senior counsel for the petitioners that the
petitioner no. 1 is ready to keep the complainant as

wife with full dignity and honour, a statement to that effect has been made in paragraph no. 11 of the petition which reads as follows:-

"11. That the petitioners are ready to keep the complainant with all respect and dignity."

Considering the present stand of the petitioners, let the petitioner no. 2 be released on anticipatory bail and petitioner no. 1 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. 2423 of 2012 on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bhagalpur, 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 no. 1 will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner no. 1 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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