

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1717 of 2015

Arising Out of PS.Case No. -1519 Year- 2014 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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1. Sunil Kumar Son of Akhilesh Kumar Roy @ Akhilesh Patel, Resident of Village - Dighra Rampur, P.S. - Sadar, District - Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Ashu Kumari W/o Sunil Kumar, Resident of Village - Dighra, P.S. - Sadar, District - Muzaffarpur, at present D/o Bijli Rai resident of village - Pandeh, P.S. - Paru, District - Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Chandra Shekhar Anand
For the Opposite Parties : Mr. Ashok Kr.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 12-05-2015 Petitioner is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The basic accusation is of torture.

The initial contention of the petitioner was that the complainant was married with the elder brother of the petitioner who subsequently died. Today a supplementary affidavit has been filed to the effect that petitioner is ready to keep the complainant with dignity and honour. A statement to that effect has been made in para 2 of the supplementary affidavit which reads as follows:-

“That, the petitioner is ready to keep the O.P. No. 2 with full honour and dignity if she is ready to live with the petitioner”

The petitioner and the complainant are present. Both sides are ready to resume the conjugal life. The petitioner is ready take the complainant from the Court itself to her matrimonial house to keep her with dignity and honour. The offer is acceptable to the complainant who is also ready to go with the petitioner from the Court itself to her matrimonial house.

Considering the present stand of the parties, 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 anticipatory bail 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, East, Muzaffarpur in connection with Complaint Case No.1519 of 2014, Trial No. 2285 of 2014.

The complainant/O.P. No. 2 will be at liberty to file appropriate application for cancellation of bail of the petitioner, if the petitioner fails to comply the undertaking given before this Court.

(Dinesh Kumar Singh, J)

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