

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23339 of 2015

Arising Out of PS.Case No. -563 Year- 2013 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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1. Vishwajeet Kumar Dixit @ Runu Dixit @ Rumu Dixit S/o Mithilesh Kumar Dixit Resident of Village Pakari Dixit, P.S. Kalyanpur, District East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Suman Devi W/o Vishwajeet Kumar Dixit @ Runu Dixit @ Rumu Dixit, D/o Nandu Tiwari Resident of Village Pakari Dixit, P.S. Kalyanpur, District East Champaran. At present R/o Village Bahuara Haribansh, P.S. Kalyanpur, District East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Opposite Party/s : Dr. Indihar Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-06-2015 Learned counsel for the petitioner is permitted to

make necessary correction in the petition, as prayed for.

Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the

complainant is apprehending arrest in a complaint case in

which processes were directed to be issued after cognizance

being taken under Sections 406 and 324 of the Indian Penal

Code.

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. 8 of the petition which reads as follows:

“That the petitioner always keep his wife with full dignity and honour.”

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 CJM Motihari in connection with Complaint Case No. 563 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)

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