

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14610 of 2015

Arising Out of PS.Case No. -125 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Jitendra Rajak Son of Nandu Rajak resident of Village- +P.O- Mahuwari,
P.s- Kochas, District- Rohtas..

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Mr. Nand Kishore Prasad (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 11-05-2015 Heard learned counsels for the petitioner, complainant
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 Section
498A 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 8 of the petition which reads as follows:

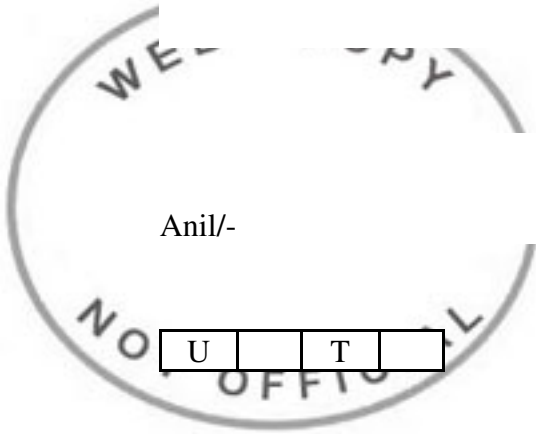
“That the petitioner is ready to keep and maintain his wife.”

Learned counsel for the complainant submits that the complainant was driven out from the matrimonial house after one month of the marriage after being brutally assaulted but even then she is ready to resume the conjugal life. Both petitioner and the complainant agree to appear before the learned court below on 2.6.2015 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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 Sasaram in connection with Complaint Case No. 125 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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)