

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40689 of 2015

Arising Out of PS.Case No. -705 Year- 2013 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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Pramod Kumar Sahni, son of Hulas Sahni, resident of Village-Patori Tola,
P.S.-Aurai, District-Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Anita Devi daughter of Chaturi Sahni, wife of Pramod Kumar Sahni, resident of Parsauni, P.S.-Bairgania, District-Sitamarhi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Pradeep Narayan Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-08-2015

Petitioner being husband of the complainant

is apprehending his arrest in a complaint case filed with accusation under Sections 323, 379, 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act, wherein processes were directed to be issued after cognizance being taken.

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

On instructions, it is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 7 of the petition. The relevant portion of which reads as follows:-

“.....that the petitioner

is ready to keep the complainant as wife with full dignity
and honour.....”

Considering the present stand of the petitioner, 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 provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Complaint Case No. C-I-705 of 2013.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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