

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39273 of 2015

Arising Out of PS.Case No. -218 Year- 2015 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

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Ritesh Kumar Tiwari @ Ritesh Kumar Tiwary son of Sri Kailash Tiwari,
resident of village- Yadopur Tola Chainpur, P.S.- Harsidhi, District- East
Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Uday Narayan Tiwari S/o Late Sachidanand Tiwari R/o Areraj Jogyar,
P.S.- Govindganj, District- East Champaran.
3. Sindhu Devi daughter of Uday Narayan Tiwari, resident of Village-
Areraj Jogyar, P.S.- Govindganj, District- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Pramod Kumar Pandey(App)

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

03/ 04-09-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the daughter
of the complainant is apprehending his arrest in a complaint case
wherein process has been directed to be issued after cognizance
being taken for the offences punishable under Section 498A of the
Indian Penal Code and 3/4 of Dowry Prohibition Act.

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

It is submitted by learned counsel for the



petitioner admits the marriage with the daughter of the complainant and birth of a child. The petitioner is ready to keep the daughter of the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph 11 of the petition, which reads as follows:- **“That be that as it may, the petitioner has no grievance against his wife, and he, however, undertakes before the Hon’ble Court to keep his wife with full dignity and honour, respect and comfort, safety and security.”**

It is submitted by learned counsel for the complainant that the daughter of the complainant, who is present in the Court, accepts the offer of the petitioner.

Both sides agree to appear before the learned court below on 1st of October, 2015 when the petitioner will take the daughter of the complainant with child to keep them 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 his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Sadar, East Champaran at Motihari

in connection with Complaint Case No. C-218 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the daughter of the complainant gets reluctant to reconcile the issue; and (iii) or if the daughter of the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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