

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47150 of 2015

Arising Out of PS.Case No. -459 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Dharmendra Kumar @ Laxuman son of Krishna Prasad resident of
Village- Rajpur P.S.- Rajpur District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Manorama Devi @ Sita Devi wife of Dharmendra Kumar daughter of
Rajeshwar Sah resident of Vill- Basa P.S- Sasaram (M) Dist- Rohtas
(Sasaram).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Pandey

For the Opposite Party/s : Mr. U.L.Verma(App)

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

4 14-12-2015 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 Sections
498A of the Indian Penal Code and section 4 of Dowry Prohibition
Act.

The basic accusation is of torture for non fulfillment
of dowry demands.

The petitioner admits his marriage with the
complainant. Though before the learned court below the petitioner

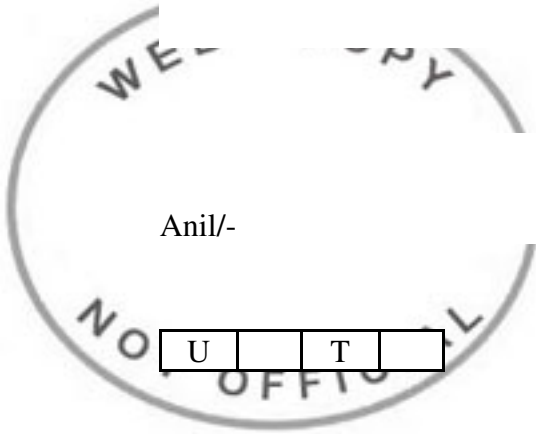
refused to resume the conjugal life but now it is submitted that the petitioner is ready to keep the complainant as wife with full dignity and honour though specific statement to that effect has not been made in the petition.

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner. Both petitioner and the complainant agree to appear before the learned court below on 18.1.2016 when the petitioner will take the complainant to keep her as 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 SDJM Sasaram, Rohtas in connection with Complaint Case No. 459 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)