

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49898 of 2015

Arising Out of PS.Case No. -799 Year- 2014 Thana -COMPLAINT CASE District- JAMUI

1. Pankaj Kumar Ram Son of Subhash Ram r/o Village Durgapur, P.s. Sangrampur, District Munger at present Jamadobha Gali No. 4, P.S. Jora Pokhar, District Dhanbad (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar
2. Nitu Devi Wife of Pankaj Kumar Ram, D/o Sudhir Ram R/o Village Mohanpur, P.O. Matia, P.S. Laxamipur, District Jamui

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Mr. Smt. Pronati Singh(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-10-2015 Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfillment of

the dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner admits the marriage with the complainant and he is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para- 14 of the petition which reads as follows:-

“That, the petitioner is ready to keep her (complainant) as a legal wedded 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 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 Sub-Divisional Judicial Magistrate, Jamui in connection with Complaint Case No. 799C of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant 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 within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile

the issue; and (iii) or if the complainant fails to appear before the learned court.



(Dinesh Kumar Singh, J)

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