

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53314 of 2015

Arising Out of PS.Case No. -1403 Year- 2013 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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1. Satish Kumar Singh @ Satish Kumar son of Sri Suresh Prasad Singh of
village- Khesauri, P.S.- Pakribarawan, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. Mamta Kumari wife of Satish Kumar Singh daughter of Ramapati
Singh, R/o- Samway, P.S.- Barsaliganj, District- Nawada

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Subhash Chandra Mishra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-11-2015

Petitioner being husband of the complainant

is apprehending his arrest in a complaint case wherein
processes were directed to be issued after cognizance being
taken for the offences punishable under Sections 498A of the
Indian Penal Code and Section 4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the
petitioner that on conclusion of the investigation the petitioner
was not sent up for trial and the accusation was found false
but subsequently on protest-cum-complaint the order of
cognizance was passed.

On instructions, it is submitted by learned
counsel for the petitioner that petitioner admits his marriage
with the complainant and is still ready to keep the complainant

as wife with dignity and honour. A statement to that effect has been made in para 12 of the petition which reads as follows:-

“That the petitioner is ready to keep the complainant with all the dignity, grace and respect”

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 Sub-Divisional Judicial Magistrate, Nawada in connection with Complaint Case No. 1403 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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