

Arising from the above, the following questions arise:

1. Sanjay's action is justified.
2. Renal's action is justified.
3. The action of both is justified.
4. Neither action is justified.

1. The action of both is justified.

2. Renal's action is justified.

of v

1. Sanjeet Kumar, son of Shyam Nath Mahto, resident of Sidhnath Chowk,
P.S.- Sonpur, District- Saran.

Versus

- Opposite Party/s

For the Petitioner/s : Mr. Shatrughan Pandey
For the Opposite Party/s : Mr. Ajay Kr. Jha (App)

2 27-08-2015 The 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 323, 498A, 504 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

It is submitted by learned counsel for the petitioner on instruction 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 11 of the petition which reads as follows:-

“That it is stated that the

petitioner is still ready to keep the complainant with respect and dignity if she is ready to live with the petitioner and ready to fulfill her obligations and perform her duties as a wife.”

It is further submitted that petitioner has filed Matrimonial Suit No. 73 of 2014 for restitution of conjugal life.

It is submitted by learned counsel for the complainant that complainant is ready to accept the offer of the petitioner provided petitioner keeps her with dignity and honour.

Both sides agree to appear before learned Court below on 5th of October, 2015, when the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the aforesaid stand of the parties, 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, Samastipur in connection with Complaint Case No. 1918 of 2013.

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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