

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15955 of 2015**

Arising Out of PS.Case No. -31 Year- 2014 Thana -KHAGARIA COMPALINT CASE District-  
KHAGARIA

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1. Vikash Kumar Sharma s/o - Lakshman Sharma R/o Musapur, P.S. -  
Korha, Distt - Katihar.

.... .... Petitioner

Versus

1. The State of Bihar.  
2. Monika Kumari @ Bindu Devi W/o Vikash Kumar Sharma, D/o Ram  
Kishun Chaurasia R/o - Gauchhari, P.S. - Gogri, Distt - Khagaria.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Sanjeev Kumar Singh  
For the Opposite Parties : Mr. Vinod Shankar Modi (App)

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

2      17-04-2015      Petitioner being husband of the complainant  
is apprehending his arrest in a complaint case wherein  
processes have been directed to be issued after cognizance  
being taken for the offences punishable under Section 498A of  
the I.P.C and Section 3/4 of the Dowry Prohibition Act.

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

On instructions, it is submitted by learned  
counsel for the petitioner that petitioner is ready to keep the  
complainant as wife with full dignity and honour. A statement  
to that effect has been made in para 8 of the petition which  
reads as follows:-

“That the petitioner is still ready to  
keep his wife with full dignity and honour.....”

It is further submitted that petitioner has filed Matrimonial Case No. 486 of 2013 on 30.09.2013 for restitution of conjugal life and thereafter the present complaint was filed on 07.01.2014.

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, Khagaria in connection with Complaint Case No. 31C of 2014.

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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