

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31974 of 2015

Arising Out of PS.Case No. -3962 Year- 2014 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Santosh Poddar Son of Shiv Nath Poddar, Resident of Village-
Narsinghpur, P.S.-Sakara, District-Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Ranju Devi W/o Santosh Poddar, D/o Suirya Shekhar Poddar, Resident
of Village-Mahipura, P.S.-Jandaha, District-Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 06-08-2015 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case filed with accusation under Sections 323,341,307 and 498A of the Indian Penal Code.

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

The petitioner admits marriage with the complainant. On instructions, it is submitted that the petitioner is ready to keep the complainant as wife with

full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 8 of the petition which reads as follows:

“That the petitioner always wants to keep his wife with full love, affection, dignity and honour but the complainant does not want to lead conjugal life with her husband ”

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 CJM Vaishali at Hajipur in connection with Complaint Case No. 3962 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and 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 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)

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