

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42348 of 2015

Arising Out of PS.Case No. -643 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Vikrant Kumar Verma

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avanish Kumar Singh

For the Opposite Party/s : Mr. Awadhesh Kumar Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 07-09-2015

Heard learned counsels for the petitioner,
complainant and the State.

The petitioner being the husband of the complainant
is apprehending arrest in a complaint case in which processes were
directed to be issued after cognizance being taken under Section
498A of the Indian Penal Code.

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

On instructions, it is submitted that the petitioner
admits his marriage with the complainant and birth of a child and
is ready to keep the complainant as wife with full dignity and
honour. Statement to the aforesaid effect has been made in
paragraph 12 of the petition, the relevant portion of which reads as
follows:

“.....the petitioner is more than willing to take back the complainant.”

It is further submitted that similar was the stand of the petitioner before the learned court below but the same was not accepted by the complainant. The relevant portion of the impugned order reads as follows:

“....Vikrant Kumar Verma has filed matrimonial case for restitution of conjugal right in Delhi on 24.5.14. Vikrant Kumar Verma has filed an undertaking to keep his wife. Complainant is not ready to go with Vikrant Kumar Verma.....”

The petitioner also filed matrimonial case no. 394 of 2014 for restitution of conjugal rights.

Learned counsel for the complainant submits that the complainant, at present, is ready to accept the offer of the petitioner. Both petitioner and the complainant agree to appear before the learned court below on 1.10.2015 when the petitioner will take the complainant to keep her as 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 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
ACJM, Patnacity, Panta in connection with Complaint Case No.
643 of 2014 subject to the conditions as laid down under Section
438(2) Cr.P.C.

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)

Anil/-

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