

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47068 of 2015

Arising Out of PS.Case No. -1225 Year- 2014 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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Rajesh Kumar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ved Prakash Srivastva

For the Opposite Party/s : Mr. Prem Kumar Jha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-10-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the complainant
is apprehending arrest in a complaint case wherein process has
been directed to be issued after cognizance being taken for the
offences punishable under Section 498A of the Indian Penal
Code.

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

Learned counsel for the petitioner submits that the
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 10 of
the petition which reads as follows:-

“That the petitioner is ready to keep the

complainant in her matrimonial house with honour and dignity.....”

Similar was the stand of the petitioner before the learned court below but the complainant refused to accept the offer of the petitioner.

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Nawada in connection with Complaint Case No. 1225 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 for her appearance. 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 learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or

(iii) if the complainant gets reluctant to reconcile the issue.

Amrendra/-

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(Dinesh Kumar Singh, J)

