

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46362 of 2015

Arising Out of PS.Case No. -851 Year- 2013 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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1. Shambhu Singh @ Shambhu Kumar, Son of Sri Lakshmi Singh, resident
of Village Sonapur, P.S.- Nayagaon, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kumari Baby, Wife of Shambhu Kumar @ Shambhu Sah, D/o Awadesh
Sangahi, resident of Village- Nayagaon Shiromani Tola, P.S. Parbatta,
District- Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Manish Kumar 2(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-10-2015 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 Sections 498A of the Indian Penal
Code and Section 4 of the Dowry Prohibition Act.

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 8 of the petition which reads as follows:-

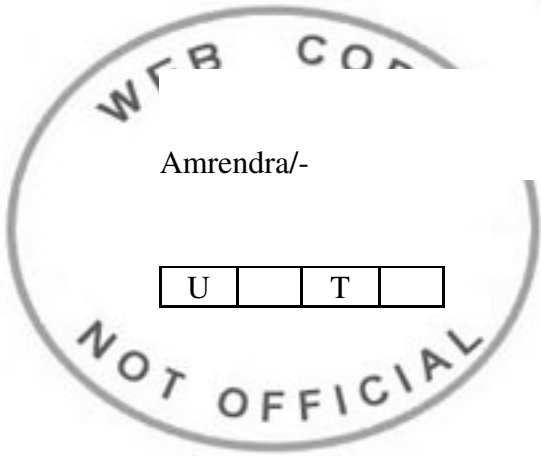
“That the petitioner undertakes to keep his wife with full love, dignity and honour.”

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Khagaria in connection with Complaint Case No. 851C of 2013, 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.



(Dinesh Kumar Singh, J)