

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51484 of 2015

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Karan Singh, S/o Om Nath Singh, resident of village- Hakim Tola, Police
Station- Mirganj, District- Gopalganj

.... Petitioner/s

Versus

1. The State of Bihar
2. Amisha Devi, D/o Ram Naresh Singh, resident of village- Olipur, Police
Station- Jibi Nagar, Tarwara, District- Gopalganj

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Advocate

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

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

ORAL ORDER

2 04-11-2015 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 323, 406/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that the petitioner admits the marriage with the complainant and he is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para- 7 of the petition which reads as follows:-

“That petitioner never tortured

to the complainant even for a movement of the petitioner is ready to keep the complainant as wife with full dignity and he did not about alleged honour.”

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner, but the petitioner had refused to keep the complainant at the time of mediation before the learned court below.

It is submitted by the learned counsel for the petitioner that now the petitioner has changed his stand and he is ready to keep the complainant with due dignity and honour.

Both the petitioner and complainant appear before the learned court below on 23rd of November, 2015 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for four months in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Siwan in connection with Complaint Case No. 1858 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be

confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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