

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7175 of 2016

Arising Out of PS.Case No. -101 Year- 2015 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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Rajesh Kumar S/o Kameshwar Jha R/o Village- Rewasi, tole Dhankshi, P.s
Riga, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pushpa Devi W/o Rajesh Kumar At Present D/o late Deo Narayan
chaudhari R/o Village- Mahadevpatti, P.s Parihar, District Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Anita Kumari Singh (App)

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

03/ 09-05-2016

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
complainant is apprehending his 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 and 3/4 of Dowry Prohibition Act.

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

On the joint prayer of the parties the matter was
referred to the Mediation and Conciliation Centre of Bihar State

Legal Services Authority vide order dated 12.02.2016. The report of the Mediator dated 28.03.2016 reflects that the issue has been resolved and both are residing together.

The petitioner and the complainant are present in the Court.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and birth of a female child. The petitioner and the complainant are residing together.

The contention of the learned counsel for the petitioner has not been controverted by the learned counsel appearing for the complainant.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for three 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, Sadar Sitamarhi in connection with Complaint Case No. C1-101 of 2015, 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 learned court below on substantial restoration of the matrimonial harmony or if the matrimonial harmony could not be restored due to the latches on the part of the complainant.

(Dinesh Kumar Singh, J)

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