

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6972 of 2016

Complaint Case No. -18 Year- 2014 Thana -COMPLAINT CASE District- JAMUI
=====

Gautam Kumar Son of Sri Yogendra Yadav
..... Petitioner/s

Versus

1. The State of Bihar.
2. Shashikala Devi, w/o Sri Gautam Kumar and Daughter of Bhim Lal
Yadav,

..... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Prakash Mahto, Advocate

For the Opposite Party/s : Mr. Sahin Begum (App)
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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-02-2016 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 and 3/4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfillment of the dowry demand and attempt was made to cause burn injury to the informant.

On instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the

complainant and he 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:-

"8. That, it is humbly stated and submitted that in fact the complaint/opp. party no.2 used to torture her old parents in-law and has fled away taking all the ornaments and cash from her sasural herself and this false case has been lodged in spite of the same the petitioner is ready to keep her."

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months 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, Jamui in connection with Complaint Case No.18-C/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.

(Dinesh Kumar Singh, J)

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