

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8073 of 2016

Complaint Case No. -1553 Year- 2014 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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Narendra Kumar @ Sonu, son of Satendra Kumar Bhagat

.... Petitioner/s

Versus

1. State of Bihar

2. Puja Kumari, wife of Narendra Kumar, daughter of Bhola Prasad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2016

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.

On instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and has filed Matrimonial Case No. 35/2014 for restitution of conjugal rights.

It is further submitted that the petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 11 of the petition which reads as follows:-

"11. That from perusal of impugned order it is evident that petitioner is ready to keep the complainant with full dignity and honour...."

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, Saharsa in connection with Complaint Case No.1553C/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.

Ashwini/-

(Dinesh Kumar Singh, J)

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