

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21130 of 2016

Arising Out of PS.Case No. -15 Year- 2011 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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1. Ram Ratan Kumar Son of Rajendra Prasad, Resident of village- Ashma,
P.S.- Akbarpur, District- Nawada

.... Petitioner/s

Versus

1. The State of Bihar
2. Kumari Nilkamal, Wife of Ram Ratan Kumar, at present residing at
Mohalla- Post-Mortem Road, P.S.- Nawada, District- Nawada

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 12-05-2016 The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Sections 406, 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner on instruction that 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 is ready

to keep her wife with full honour and dignity. He is always ready to maintain her wife and to fulfill her demand”

It is further submitted that petitioner has filed Matrimonial Suit No. 143 of 2011 with a prayer for divorce but the same was permitted to be withdrawn since the issue was resolved between the parties.

It is submitted by learned counsel for the complainant that complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before learned Court below on 30th of May, 2016, when the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for four months on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Complaint Case No. 15(C) of 2011.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial

harmony within a period of four months (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

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(Dinesh Kumar Singh, J)