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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11901 of 2016

Arising Out of PS.Case No. -1799 Year- 2015 Thana -PATNA COMPLAINT CASE District- PATNA

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1. Amandeep Singh Bagga son of Kulwant Singh Bagga, Residing at Mohalla- Raghunath Tola, Anishabad, Police Station- Gardanibagh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Mrs. Guria Kaur @ Simran W/o Amandeep Singh Bagga D/o Mahendra Singh, Qtr. No. 42, Punjabi Colony, Chitkohara Bajar, Police Station- Gardanibagh, District- Patna.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Santosh Kumar Verma
For the Opposite Party/s : Mr. H.A.Khan(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 10-03-2016 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 Section 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 12 of the petition. The relevant portion of which reads as follows:-

> "That the real fact is that the petitioner want to lead his conjugal relationship with the complainant and give her full honour and grace as his wife……."

It is further submitted that petitioner has also filed Matrimonial Suit No. 116 of 2015 for restitution of conjugal life.

Considering the present stand of the petitioner, 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 six months on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna in connection with Complaint Case No. 1799(C) of 2015.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

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 six 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)

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