

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14671 of 2016

Arising Out of PS.Case No. -730 Year- 2014 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Raj Kumar @ Raj Kumar Bind son of Bhola Bind Resident of Village
Denwa, P.S. Bhabhua District- Kaimur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anju Kumari wife of Raj Kumar D/o Late Lala Bind of Village
Bahraisiya P.S. Sasaram Dist Rohtas at Sasaram.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Singh

For the Opposite Party/s : Mr. Md . Ansural Haque (App)

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

02/ 04-04-2016

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 Sections 498A, 406 of the
Indian Penal Code and 4 of Dowry Prohibition Act.

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

It is submitted by learned counsel for the
petitioner that the petitioner admits his marriage with the

complainant and is ready to keep the complainant as wife with full dignity and honour, statement to that effect has been made in paragraph 7 of the petition, which reads as follows:-

“That, the petitioner is ready to keep her with complainant with full dignity and honour but complainant did not want to live with petitioner.”

It is further submitted by learned counsel for the petitioner that the similar was the stand before the learned court below but the complainant refused to accept the offer.

In the circumstances, let the above named petitioner be released on anticipatory bail provisionally for six 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, Rohtas at Sasaram in connection with Complaint Case No. 730 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant 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 the learned court below in three eventualities:- (i) on

substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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