

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.13489 of 2016**

Arising Out of PS.Case No. -94 Year- 2015 Thana -MAHILA P.S District- SUPAUL

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1. Pramod Kumar Praveen S/o late Ramesh Chandra Verma R/o Mohalla-Bidhanpuri Supaul Ward no. 2, Ps- Supaul District Supaul.

.... .... Petitioner/s

Versus

1. The State of Bihar.

2. Nilkamal W/o Pramod Kumar praveen @ D/o Bijay Kumar Verma At Present resident of Mohalla- Supaul wardno. 12 PS Supaul, District Supaul.

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

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**Appearance :**

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Anita Kumari Singh(App)

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

ORAL ORDER

2 29-03-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband is apprehending arrest in a case registered for the offences punishable under Section 498A, 323, 504, 506/34 of the Indian Penal Code and under section 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

The petitioner admits marriage with the informant. On instructions, it is submitted that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 9 of the petition which reads as follows:-

*“9. That, the informant with her own sweet will left the company of her husband/ petitioner and deserted to him though the petitioner has put all his endeavour to bring*

*his wife (informant) back to his place and as yet he is ready to keep his wife with full dignity and respect.”*

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-IV, Supaul in connection with Mahila P.S. Case No. 94/2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and 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) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

**(Dinesh Kumar Singh, J)**

BKS/-

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