

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16089 of 2016

Arising Out of PS.Case No. -1288 Year- 2013 Thana -MADHUBANI COMPLAINT CASE District-
MADHUBANI

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Randhir Kumar Jha @ Punnu Kumar Jha, S/o Geetanand Jha, resident of
village- Bela Rauahi, P.S.-Babubarhi, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Shweta Devi, W/o Randhir Kumar Jha @ Punnu Kumar Jha, D/o
Harendra Jha, resident of village- Kanhauli, P.S.- Khajauli, District-
Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav(App)

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

ORAL ORDER

2 12-04-2016 Heard learned counsel for the petitioner and the
State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 379, 498A, 504 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

On instruction it is submitted by learned counsel for the petitioner that petitioner admits the marriage with the complainant and he is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been

made in para- 10 of the petition which reads as follows:-

“That the petitioner is the husband of the complainant and is ready to keep her with full dignity and honour.”

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 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, Madhubani in connection with Complaint Case No. 1288 of 2013, 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 within one year 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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