

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20547 of 2016

Arising Out of PS.Case No. -3 Year- 2015 Thana -GAYA COMPLAINT CASE District- GAYA

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1. Rajesh Singh Son of Ram Naresh Singh Resident of Village- Bhurkunda, Police Station -Goh, Disrict Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Singh Wife of Rajesh Singh, Daughter of Indradeo Singh Resident of Village- bhrkunda, Police Station- Goh, District Aurangabad presently resided at Village Ghodaghat, Police Station - Dobhi, District Gaya, Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Karna

For the Opposite Party/s : Mr. Jagdhar Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-05-2016 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 379, 498A, 506 of the Indian Penal Code and Section 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. Though the impugned order reflects that petitioner refused to resume the conjugal life whereas the

complainant was ready to resume the conjugal life but it is submitted that now the petitioner has changed his stand and 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 which reads as follows:-

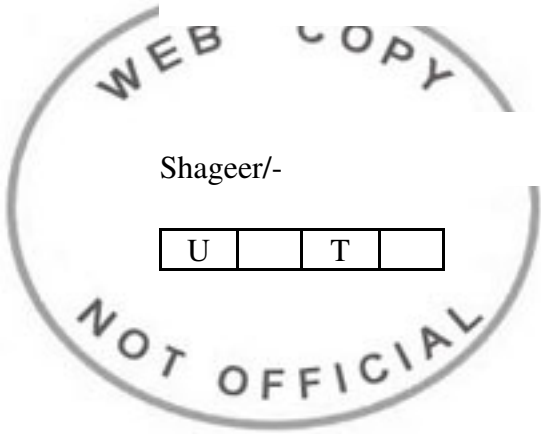
“That it is stated that the
petitioner is still ready to keep her at his house with
full love, affection and dignity.”

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 two 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, Sherghati, Gaya in connection with Complaint Case No. 3 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 two months (ii) If the complainant

fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.



(Dinesh Kumar Singh, J)