

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23717 of 2016

Arising Out of PS.Case No. -1296 Year- 2015 Thana -PURNIA COMPLAINT CASE District-
PURNIA

=====

1. Bharat Jaiswal @ Bharat Kumar Jaiswal S/o Ram Jaiswal R/o Mohalla-
Bekapur, Infront of Choti Durga Mandir, P.S.- Kotwali, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rani Jaiswal, W/o Bharat Jaiswal @ Bharat Kumar Jaiswal, D/o Ashok
Jaiswal R/o Mohalla- Bekapur, P.S.- Kotwali, District- Munger.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Syed Mohammad Shabbir Alam
For the Opposite Party/s : Mr. Awadhesh Kr.Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-05-2016 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner, being the husband of the complainant, is
apprehending his arrest in a complaint case wherein cognizance
has been taken under Section 498A of the Indian Penal Code.

The basic accusation is of torture for non-fulfilment of
dowry demands.

Learned counsel for the petitioner submits that the
petitioner admits his marriage with the complainant/informant and
is ready to keep the complainant/informant as wife with full
dignity and honour. A statement to that effect has been made in
paragraph No.10 of the petition, which reads as follows:-

“That, however, the petitioner is still willing to keep his

wife with all lover and dignity but she is not willing to say with him and has already refused his efforts.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional 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 bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Sri Ranvijay Kumar, learned Judicial Magistrate, Ist Class, Purnea in connection with Complaint Case No.1296 of 2015, 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 opposite party No.2 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)

V.P.Sinha/-

U			
---	--	--	--