

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31282 of 2016

Arising Out of Complaint Case No. -23 Year- 2014 Thana -NAWADAH COMPLAINT CASE
District- NAWADA

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Rajesh Kumar Son of Nandlal Sao @ Nandelal Sao,

.... Petitioner/s

Versus

1. The State of Bihar.
2. Arti Devi, W/o Rajesh Kumar D/o Basant Sao

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Sri Durgesh Nandan, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 10-08-2016

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the complainant is languishing in custody since 27.04.2016 in complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under section 498A of the Indian Penal Code and 4 of the Dowry Prohibition Act, though the impugned order reflects that the complaint was filed with accusation 379/34 IPC, which prima facie appears to be an error of record. It is expected from the

learned Sessions Judge to be careful in future.

Basic accusation is of torture for non-fulfillment of dowry demand.

Though, the petitioner was granted provisional anticipatory bail on the readiness to keep the complainant as wife with full dignity and honour but the petitioner failed to comply the undertaking given before the Court.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and he is still ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in paragraph 6 of the petition, which reads as under :-

"That it is submitted that being the husband the petitioner want to keep the complainant with full dignity and honour."

It is further submitted that investigation has already concluded.

Considering the fact that investigation has already concluded and the petitioner is still ready to keep the complainant as wife, let the above named petitioner be released

on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Nawada, in connection with Complaint Case No.23/2014.

(Dinesh Kumar Singh, J)

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