

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40377 of 2015

Complaint Case No.. -13 Year- 2014 Thana -PATNA COMPLAINT CASE District- PATNA

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Amit Kumar Kasera Son of Late Nirmal Kumar Kasera,
..... Petitioner/s

Versus

1. The State of Bihar.
2. Guriya Devi, D/o Krishna Prasad,
..... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Parmanand Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 19-01-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 323of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

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

On instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and he is ready to keep the complainant as wife with full dignity and honour. Though statement to that effect

has been not made in the petition. But in paragraph 19 of the petition the petitioner has stated that he wants to settle the matrimonial dispute. Para 19 of the said petition reads as follows:-

"19. That the petitioner is the husband of the complainant and is ready to settle the matrimonial dispute, according to the wishes of the complainant."

On instruction, learned counsel for the complainant submits that the complainant accepts the offer of the petitioner.

Considering the present stand of the parties, 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Danapur, Patna in connection with Complaint Case No.13C of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Both sides shall appear before the learned court below on 2nd February 2016 when 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 learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.



Ashwini/-

(Dinesh Kumar Singh, J)

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