

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34539 of 2016

Arising Out of PS.Case No. -1129 Year- 2012 Thana -COMPLAINT CASE District- SUPAUL

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Rajesh Sah, Son of Kamal Sah, Resident of Village- Mainna, Police Station-
Sonvarsa Raj, District- Saharsa.

..... Petitioner/s

Versus

1. The State of Bihar.
2. Babita Devi, Wife of Rajesh Sah, Resident of Village- Mainna, Police
Station- Sonvarsa Raj, District- Saharsa. Presently living with Babita Devi,
Daughter of Ghanshyam Sah, Resident of Village- Chak Dumaria,
Puranawas, Police Station- Supaul, District- Supaul.

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Chand Prasad
For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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

2 26-09-2016 Petitioner being husband of the complainant is

apprehending his arrest in complaint case wherein process has

been directed to be issued after cognizance was taken for the

offences punishable under Section 498A of the I.P.C.

Accusation is of torture for non-fulfillment of dowry

demands.

It is submitted by learned counsel for the petitioner that

petitioner is ready to keep the complainant as wife with full

dignity and honour. A statement to that effect has been made in Para 10 of the petition which reads as follows:-

“10. That the petitioner is always ready to keep the complainant with full dignity and affection.”

It has further submitted that petitioner has never performed second marriage. A statement to that effect has been made in Para 11 of the petition which reads as follows:-

“10. That the petitioner never married top any Puja Devi nor she is living with his family member.”

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 six 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 Magistrate, Supaul in connection with Complaint Case No. 1129C of 2012 subject to the conditions as laid down under Section 438(2) of the Cr.P.C

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 one year (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)

Prakash/-

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