

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34546 of 2016

Arising Out of PS.Case No. -1170 Year- 2014 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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1. Bijay Shankar Prasad, S/o late Surya Nath Mahto, Resident of Village-
Raghunathpur, P.S. Brahmpur, District Buxar Petitioner

Versus

1. The State of Bihar
2. Sangeet Devi, W/o Bijay Shankar Prasad, D/o late Jhuna Singh Resident
of Mohalla- Shanti Nagar, Buxar, P.S Buxar (Nagar) District Buxar
.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Arun Kumar Gupta, Adv.

For the Opposite Parties : Mr. Bisheshwar Ram, APP 18

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

2 16-08-2016 Heard the learned counsel for the petitioner and the
State.

This is a petition for grant of anticipatory bail. The petitioner, being the husband of the complainant, apprehending his arrest in a case registered under Sections 498A of the Indian Penal Code and 4 of the Dowry Prohibition Act.

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

Though it was alleged during the hearing of the bail application that the petitioner solemnized second marriage, but, it has been stated in paragraph 13 of the bail application, which reads as “that the petitioner did not solemnize his second marriage”.

Considering the present stand of the petitioner, above named, be released on **provisional anticipatory bail for six months** in the event or arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of

the like amount each in connection with Complaint Case No. 1170(C) of 2014 to the satisfaction of the Subdivisional Judicial Magistrate, Buxar.

Let the learned Court below issue notice to the complainant and on her appearance the petitioner will take the complainant 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) 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)

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