

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33229 of 2016

Arising Out of PS.Case No. -856 Year- 2014 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

=====

1. Dhiraj Kumar Choudhary son of Surendra Nath Choudhary resident of
Village- Madhopur, P.S.- Bidhutipur, District- Samastipur

.... Petitioner/s

Versus

1. The State of Bihar
2. Pratima Devi Wife of Dhiraj KUMar Choudhary,daughter of Siraram Jha
resident of Village- Kalyanpur Tola Jagarnathpur, P.S.- Bibhutipur, District-
Samastipur

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Abhay Shankar Singh
For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

=====

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

2 09-08-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A and 323 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the complainant an is ready to keep the complainant as wife with full dignity and

honour. Statement to that effect has been made in paragraph 9 of the petition which reads as follows:

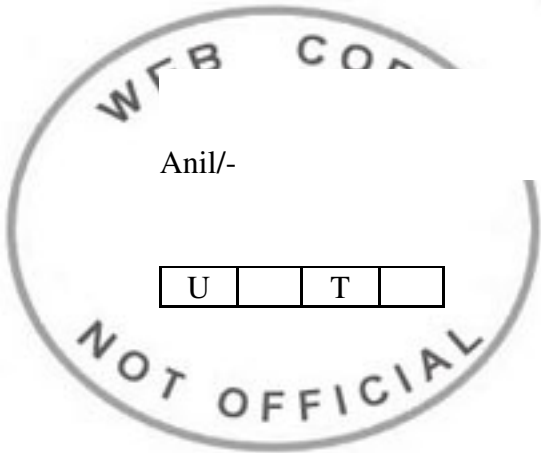
“That the petitioner is ready to keep the complainant as wife with full dignity and honour but she is not ready to come and live with the petitioner.”

It is further submitted that the complainant deserted the petitioner when he lost his job. Similar was the stand of the petitioner before the learned court below but the complainant refused to accept the offer which gets reflected from the impugned order.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Rosera in connection with Complaint Case No. 856 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The present order will not preclude the complainant to resume conjugal life. In case she files such application before the learned court below then the learned court below will issue notice to the petitioner to appear when the petitioner will be

obliged to comply the undertaking given before this court.



(Dinesh Kumar Singh, J)

Anil/-

U		T	
---	--	---	--