

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28073 of 2016

Arising Out of PS.Case No. -29815 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

Arvind Kumar son of late Prayag Narain.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. Sri Umeshnand Pandit (APP)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 21-07-2016

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 Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and also filed Matrimonial Suit No. 203 of 2012 for restitution of conjugal right and when the matter was in the mediation, the present complaint has been filed and when the mediation could not succeed, the petitioner filed M. S. No. 3427 of 2015 with a prayer

for dissolution of marriage.

It is very fairly submitted that only summons have been issued.

Since only summons have been issued, let the learned court below consider the prayer for regular bail of the petitioner in view of the ratio laid down in the case of **Salim Ansare @ Md. Salim Ansare and Others Vs. The State of Bihar & Another** reported in **2015 (3) PLJR, 806 (Cr. Misc. No. 51075 of 2014)** if the petitioner surrenders within a period of six weeks in connection with Complaint Case No. 29815C of 2014 pending in the court of learned SDJM, Patna.

It is expected from the learned court below to dispose of the regular bail application of the petitioner preferably on the same day.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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