

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31357 of 2016

Arising Out of PS.Case No. -912 Year- 2013 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Rabindra Bind S/o Ragi Bind R/o Vill-Sikandarapur, P.S- Shivsagar
(Baddi), Dist- Rohtas (Sasaram).

.... Petitioner

Versus

1. The State of Bihar.
2. Sanju Devi W/o Rabindra Bind D/o Vinod Bind, Vill- Lengar Kawai,
R.S- Chenari, Dist- Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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

ORAL ORDER

2 27-07-2016

Heard learned counsel for the parties.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under sections 498A of the Indian Penal Code and 3/4 of the 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 and he is ready to keep the complainant with full dignity and honour. Statement to that effect has been made in paragraph 7 of the



petition. Though from the impugned order it appears that the similar was the stand of the petitioner before the learned court below but it was also submitted that the complainant has performed second marriage and residing with her second husband, though no such ground has been taken in the present application. Learned counsel for the petitioner confronted with this submission made on behalf of the petitioner before the learned court below that he has no instruction to that effect at present.

Considering the present stand of the petitioner, let the abovenamed petitioner be released on provisional anticipatory bail for six months, in the event of his 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 the S.D.J.M., Sasaram in Complaint Case No. 912/2013 (Tr.No. 2058/2014), subject to the conditions as laid down under section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. On her appearance, 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 the 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.

(Dinesh Kumar Singh, J)

Surendra/-

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