

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33296 of 2016

Arising Out of Complaint Case No. -1215 Year- 2013 Thana -SARAN COMPLAINT CASE
District- SARAN

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Shankar Rai @ Shankar Yadav S/o Dudhnath Yadav

.... Petitioner/s

Versus

1. The State of Bihar.

2. Kavita Devi, w/o Shankar Rai and D/o Ashan Rai,

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mamta Vijaya, Advocate

For the Opposite Party/s : Mr. Sri Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-09-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case filed with accusation for the offences punishable under Section 498A, 341, 323, 307, 504, 506, 380 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act wherein process has been directed to be issued after cognizance being taken.

Basic accusation is of torture for non-fulfillment of dowry demand. It is also alleged that the accused person did not supply food to the complainant and after snatching her all belongings driven out from the matrimonial house.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and he is ready to keep the complainant as wife with full dignity and

honour. A statement to that effect has been made in para 8 of the petition which reads as follows:-

"That after all the petitioner is still ready to keep the complainant with full love and affection..."

It is further submitted that similar was the stand of the petitioner before the learned Court below.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Saran, Chapra, in connection with Complaint Case No. 1215/2013, subject to the conditions as laid down under Section 438(2) 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 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.

Ashwini/-

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(Dinesh Kumar Singh, J)