

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31863 of 2016

Arising Out of PS.Case No. -249 Year- 2015 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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Uday Kumar Son of Sri Bihaspati Paswan Resident of Kotwara, P.S.
Raffiganj, District Aurangabad.

.... Petitioner

Versus

1. The State of Bihar
2. Munni Devi D/o Ram Pravesh Paswan R/o Village GangaBijha ,PO.
Manika ,P.S. Madanpur, Distt Aurangabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeshwar Singh
For the Opposite Party/s : Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-07-2016 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 section 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 10 of the

petition. It is further submitted that the complainant made several complaints before the District Woman Rights Commission and the Human Rights Commission.

It appears from the impugned order that the learned Sessions Judge disposed of the anticipatory bail application of the petitioner since summons were issued but it is submitted that vide order dated 11.4.2016 the learned S.D.J.M., Aurangabad has issued non-bailable warrant of arrest against the petitioner. Statement to that effect has been made in paragraph 11 of the petition.

Considering the present stand of the petitioner, let the abovenamed petitioner be released on provisional anticipatory bail for one year, 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 Chief Judicial Magistrate, Aurangabad in Complaint Case No. 249/2015, 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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