

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.39806 of 2016**

Arising Out of PS.Case No. -699 Year- 2015 Thana -COMPLAINT CASE District- BANKA

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1. Pankaj Ram S/o Rajendra Ram Resident of Village- Sripur Kolyari,  
Mushanabad PS. Jamuriya, District Bardhman West Bengal

.... Petitioner

Versus

1. The State of Bihar

2. Sakshi Priya Devi W/o Pankaj Ram Resident of Village- Sripur Kolyari,  
Mushanabad PS. Jamuriya, District Bardhman West Bengal. D/o Kailash  
Ram, at Present resident of Village- Kaswa, Police Station- Shambhuganj,  
District Banka

.... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Ajay Mukherjee, Adv.

For the Opposite Parties : Mr. Md. Arif, APP 105

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

**ORAL ORDER**

2      19-09-2016

The petitioner, being the husband of the complainant apprehending arrest in a case registered under Sections 498A and 323 of the Indian Penal Code and 3 and 4 of the Dowry Prohibition Act in which processes were directed to be issued after cognizance being taken under Sections 498A and 323 of the Indian Penal Code and 4 of the Dowry Prohibition Act.

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

The learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 8 of the petition, which reads as follows :

“That the petitioner is ready to keep the complainant/O.P. No. 2 with full dignity and honour, but, O.P. No. 2 not wants to live with the petitioner.”

Considering the present stand of the petitioner, above named, he 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 six weeks from today, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Complaint Case No. 699 of 2015 to the satisfaction of the Subdivisional Judicial Magistrate, Banka.

Let the learned Court below issue notice to the complainant and on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned Court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

**(Dinesh Kumar Singh, J)**

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