

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39739 of 2016

Arising Out of PS.Case No. -3074 Year- 2014 Thana -COMPLAINT CASE District- ARRARIA

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Pintu Swarnkar @ Prakash Son of Parmeshwar Swarnkar Resident of
Village- Garhbaneli, PS Kasba, District Purnea..

.... Petitioner/s

Versus

1. The State of Bihar
2. Basmati Devi W/o Pintu Swarnkar , D/o Binod Thakur Resident of
Village+PO. Simraha, PS Simraha, District Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Advocate.

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 14-09-2016 Learned counsel for the petitioner is permitted to make
necessary correction in Para 12 of the application in course of the
day.

Heard learned counsel for the petitioner and the State.

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 was taken for the
offences punishable under Sections 323 and 498(A) of the I.P.C
and 3/4 of the Dowry Prohibition Act.

Accusation is of torture for non-fulfillment of dowry
demand.

It is submitted by learned counsel for the petitioner that

petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in Para 12 of the petition which reads as follows:-

“12. That, the petitioner is ready to keep the complainant with full dignity and honour.”

Considering the aforesaid stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released **on provisional anticipatory bail for six months** on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Araria in connection with Complaint Case No. 3074C of 2014 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of six months (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Prakash/-

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