

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42203 of 2016

Arising Out of PS.Case No. -902 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Sanjay Kumar Pandey

.... Petitioner/s

Versus

1. State of Bihar,
2. Shruti Kumari

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Bhardwaj

For the Opposite Party/s : Mr. Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-09-2016

Heard learned counsels for the petitioner and the State.

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

The basic accusation is of torture for non fulfillment of dowry demands. The further accusation is of driving out the complainant from her matrimonial house in 2008 itself.

On instruction it is submitted that the petitioner admits his marriage with the complainant and it is the complainant who deserted the petitioner though the petitioner made an attempt to get the issue reconciled. The petitioner 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 respectfully submits that he is ready to keep the O.P. no.2 with all dignity and respect. ”

Considering the present stand of the petitioner and the fact that there is nothing on record to show that the petitioner made any sincere effort for eight years to get the issue reconciled, let the above named petitioner be released on provisional anticipatory bail for four months in the event of arrest or surrender before the learned Court below within a period of four 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 learned SDJM, Danapur in connection with Complaint Case No. 902 C of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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 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.



Anil/-

(Dinesh Kumar Singh, J)

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