

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38752 of 2016

Arising Out of PS.Case No. -353 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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Shishupal Kumar @ Neeraj, son of late Lal Mohan Thakur, resident of
village Sabarchak, P.S. Naubatpur, district Patna Petitioner

Versus

1. The State of Bihar
 2. Soni Kumari, d/o late Sita Ram Thakur, village Jagpura, P.O. Bhaiswan,
P.S. Masaurhi, district Patna Opposite Parties
- =====

Appearance :

For the Petitioner : Mr. Usha Kumari Singh, Adv.
For the Opposite Parties : Smt. Meena Singh, APP 166

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-09-2016

The petitioner, being the husband of the complainant, apprehending arrest in a case registered under Sections 498A of the Indian Penal Code and 3 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. 11 of the petition, which reads as follows :

“That the petitioner is ready to keep his wife with full Honour and dignity but the brothers-in-law and sisters are creating mischief and they are not ready to perform bidai of the complainant.”

The learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner.

From the impugned order it appears that the learned Session's Judge has disposed off the anticipatory bail application

of the petitioner in view of the ratio laid down in the case of **Salim Ansare @ Md. Salim Ansare and others Vrs. The State of Bihar and another, reported in P.L.J.R. 2015(3) 806 (Cr. Misc. No. 51075 of 2014)** since only the summons were issued.

Learned counsel for the petitioner has not controverted this fact that only summons have been issued till date.

Let the learned Court below consider the prayer for bail on surrender within six weeks from today in connection with Complaint Case No. 353(C) of 2015 in view of the ration laid down in the case of **Salim Ansare alias Md. Salim Ansare and others Vrs. The State of Bihar and another, reported in P.L.J.R. 2015(3) 806** and at the present stand of the parties.

This application is disposed off with the aforesaid observations/directions.

(Dinesh Kumar Singh, J)

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