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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44944 of 2016

Arising Out of PS.Case No. -1544 Year- 2014 Thana -BUXAR COMPLAINT CASE District- BUXAR

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1. Manoj Kumar Son of Tarkeshwar Sah resident of Pakari Mohalla Ara, Police Station- Nawada, P.S.- Ara, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bhagwati Sah Son of Bhola Sah resident of Village- Brahmpur Chaurasta, Police Station- Brahmpur, District- Buxar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Uday Kumar
For the Opposite Party/s : Mr. Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-10-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant's daughter is apprehending arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code and section 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

On instruction it is submitted that the petitioner admits his marriage with the complainant's daughter and is ready to keep her as wife with full dignity and honour. Statement to the

aforesaid effect has been made in paragraph no. 6 of the petition which reads as follows:

" That the petitioner is the husband of the victim and always ready to keep her with all respect and dignity but she herself does not want to live with the petitioner the reason best known to her."

It is further submitted that similar was the stand of the petitioner before the learned court below.

Considering the present stand of the petitioner, let the above named petitioner 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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Buxar in connection with Complaint Case No. 1544 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.

(Dinesh Kumar Singh, J)

Anil/-

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