

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44812 of 2016

Arising Out of PS.Case No. -3728 Year- 2016 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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1. Arun Kumar Rai son of Bhagwat Rai resident of village - Kedwa Bansui
Yadav Tola, Police Station - Basantpur, District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar
2. Renu Devi wife of Arun Kumar Rai resident of village - Khewda Bansui
Yadav Tola, Police Station - Basantpur, District - Siwan, daughter of
Yogendra Rai, resident of village - Jamalpur Kala, Police Station -
Sindhwaliya, District - Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. S.M. Rahman

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

ORAL ORDER

2 17-10-2016 Heard learned counsels for the petitioner,

complainant and the State.

The petitioner being the husband of the complainant
is apprehending arrest in a complaint case wherein processes have
been directed to be issued after cognizance being taken under
Sections 498A and 323 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 petitioner admits his marriage with the
complainant. On instructions, it is submitted that 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 12 of the petition which reads as follows:

“That the petitioner is still ready to keep the complainant as wife with full dignity and honour.”

It is further submitted that similar was the stand of the petitioner before the learned court below which gets reflected from the impugned order.

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner. Both petitioner and the complainant agree to appear before the learned court below on 21.11.2016 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

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 CJM, Gopalganj in connection with Complaint Case No. 3728 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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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