

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.43448 of 2016**

Arising Out of PS.Case No. -71 Year- 2016 Thana -KATIHAR COMPLAINT CASE District-  
KATIHAR

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1. Sanjeev Sharma, S/O- Bhupal Sharma, R/O- Anantpur, Singroi, P.S.-  
Azamnagar, District- Katihar.

.... .... Petitioner/s

Versus

1. The State of Bihar.

2. Sagari Devi W/O- Sanjeev Sharma, D/O- Late Kedar Das, R/O- at  
present- Laguwa, Tiyourpada, Post- Sankala, P.S.- Abadpur, District-  
Katihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Smt Pushpa Sinha

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

**ORAL ORDER**

2      05-10-2016

Heard learned counsel for the petitioner and the  
State.

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

The basic accusation is of torture.

It is submitted by learned counsel for the petitioner  
that petitioner admits his marriage with the complainant and  
he is ready to keep the complainant as wife with full dignity  
and honour. Statement to that effect has been made in para-  
13 of the petition which reads as follows:-

“That it is submitted here the  
petitioner being the husband of the

complainant always ready to keep his wife with full dignity and honour which she deserves.”

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 his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Katihar in connection with Complaint Case No. 71 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant 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 within six months by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

**(Dinesh Kumar Singh, J)**

P.K./-

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