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**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**Criminal Miscellaneous No.27009 of 2016**

Arising Out of PS.Case No. -1361 Year- 2015 Thana -NAWADAH COMPLAINT CASE District-NAWADA

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Priyadarshi, Son of Late Sachidanand Sinha, resident of village – Sohjana, Police Station + District – Nawada.

.... .... Petitioner/s

Versus

1. The State of Bihar
2. Pooja Kumari W/o Priyadarshi, R/o village – Sohjana, P.S. + District – Nawada At present D/o Jogendra Prasad, Mohalla – Malgodam, Post-mortem road Nawada, P.S. + District – Nawada.

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

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**Appearance :**
For the Petitioner/s : Mr. Rajeev Nayan
For the Opposite Party/s : Mr. Sri Madan Kumar

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

04/ 01-08-2016 Heard learned counsels for the petitioner and the State.

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

The basic accusation is of torture for non-fulfillment of the dowry demand.

The petitioner and the complainant are present in the Court.

It is submitted by learned counsel for the

petitioner 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 that effect has been made in paragraph 8 of the petition, which reads as follows:-

> *"That the petitioner who is/was always ready to keep complainant in well manner and is ready to welcome complainant and for the same purpose petitioner has filed Matrimonial Case No. 266/2015 dated 27/10/2015 in the court of Family Court, Nawada.."*

Counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 8th of August, 2016 when the petitioner will take the complainant to keep her as wife with full dignity and honour at his place of employment.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for one year 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, Nawada in connection with Complaint Case No. 1361 of 2015, subject to the conditions as laid

down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed 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)**

DKS/-

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