

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13793 of 2016

Arising Out of PS.Case No. -6286 Year- 2015 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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1. Nitish Pratap Palit son of Sri Vijay Pratap Palit, resident of Village-Tarwan, Police Station- Wazirganj, District- Gaya..... Petitioner/s
Versus

1. The State of Bihar.
2. Khushbu Kumari, wife of Nitish Pratap Palit, daughter of Suresh Chandra Prasad, resident of Mohalla- Purani Bazar Nawadah, Police Station- Nawadah, District- Nawadah. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramashish

For the Opposite Party/s : Mr. Veena Kumari Jaiswal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 29-03-2016 Heard learned counsels for the petitioner, complainant and the State.

The petitioner being the husband is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code and under section 4 of the Dowry Prohibition Act.

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

The petitioner admits 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 no. 6 of the petition.

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 25.04.2016 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 one year in the event of arrest or surrender before the learned Court below within a period of twelve 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, Nawada in connection with Complaint Case No. 6286 of 2015/ Trial No. 207 of 2015 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)

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