

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14530 of 2016

Arising Out of PS.Case No. -1101 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Gunjan Gaurav Son of Late Gyan Prakash Jaiswal, resident of Flat No. 201, Basanti Apartment, Anand Mohan Lane, Harihar Singh Road, P.S.- Morabadi, District- Ranchi (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Awantika Kumari, wife of Shri Gunjan Gaurav, daughter of Sri Raja Ram Jaiswal, Nand Gola, Patna City, P.S.- Malsalami, District- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Shekhar

For the Opposite Party/s : Mr. Ramesh Chandra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-04-2016 The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour and similar was the stand before learned Court below but the complainant refused to accept the offer of the petitioner. A statement to that effect has been made in para 12 of the petition which reads as follows:-

“That the petitioner is always ready to keep the opposite party No. 2 with full honour and dignity as wife and she was noticed by the learned Sessions Judge, Patna and upon appearance refused to reconcile the matter”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Patna City in connection with Complaint Case No. 1101 of 2014.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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