

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17636 of 2016

Arising Out of PS.Case No. -1006 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Munna Prasad Son of Late Sadhu Bhagwan Prasad Resident of village-
Jamunichak, P.S.-Barh, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Indu Devi Wife of Munna Prasad, Daughter of Mushan Sao Resident of
village- Dopulwa, P.S.- Jakkanpur, District- Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. J.N.Thakur(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-04-2016

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. A statement to that effect has been made in para 8 of the petition which reads as follows:-

“That petitioner is ready to

keep his wife with full honour and dignity.”

It is submitted by learned counsel for the complainant that complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before learned Court below on 12th of May, 2016, when the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the aforesaid stand of the parties, 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 in connection with Complaint Case No. 1006(C) of 2013.

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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