

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23532 of 2016

Arising Out of PS.Case No. -171 Year- 2015 Thana -COMPLAINT CASE District- SHEOHAR

=====

1. Janaki Sharan Son of Shankar Sah, resident of Mohalla- Runni Saidpur
main Road, P.S.- Runnnisaidpur, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kalyani Kumari, Wife of Janki Sharan resident of Mohalla Runni Saidpur
Main Road P.S.- Runnisaidpur, district- Sitamarhi, daughter of Late
Kapildeo Sah, Presenty resides at Village- Harpur, P.S.- Piprahi, Dstrict-
Sheohar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bela Singh

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary No.1 (App)

=====

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

ORAL ORDER

2 25-05-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant 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 sections 3 and 4 of Dowry
Prohibition Act.

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

On instruction it is submitted 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 the

aforesaid effect has been made in paragraph no. 8 of the petition which reads as follows:

“ That the petitioner is ready to keep his wife with full dignity and respect.”

It is further submitted that the petitioner has also filed Matrimonial Case No. 23 of 2015 before the Principal Judge, Family Court, Muzaffarpur on 23.1.2015 for restitution of conjugal rights and thereafter the present complaint has been filed.

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, Sheohar in connection with Complaint Case No. 171 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant and 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 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)

Anil/-

U		T	
---	--	---	--