

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24819 of 2015

Arising Out of PS.Case No. -2542 Year- 2010 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Mulazim

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Punam Shrivastava

For the Opposite Party/s : Mr. Amit Kr.Rakesh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 19-01-2016 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the 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 13 of the petition

which reads as follows:-

“That petitioner is ready to keep his wife with full honour and dignity”

Learned counsel for the complainant, on instruction, submits that the complainant is ready to accept the offer of the petitioner but she is apprehensive due to past conduct of the petitioner.

Both sides agree to appear before the learned court below on 5th of February, 2016 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for four months 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, East Muzaffarpur in connection with Complaint Case No. C-2542 of 2010, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the

complainant fails to appear before the learned court below or
(iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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