

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29550 of 2016

Arising Out of PS.Case No. -369 Year- 2013 Thana -COMPLAINT CASE District- JAMUI

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Arun Roy, son of Kishun Roy, resident of village Harnitar, P.S. Sono,
District Jamui

.... Petitioner

Versus

1. The State of Bihar
2. Babita Devi, wife of Arun Roy, village Harnitar, P.S. Sono, District Jamui (Bihar), recent address D/o Lato Roy, village Banadih, P.S. Sono, District Jamui (Bihar)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha

For the Opposite Party/s : Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-07-2016 Heard learned counsel for the parties.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under sections 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the informant on 14.6.1997 and he is ready to keep the informant with full dignity and honour. Statement to that effect has been made in paragraph



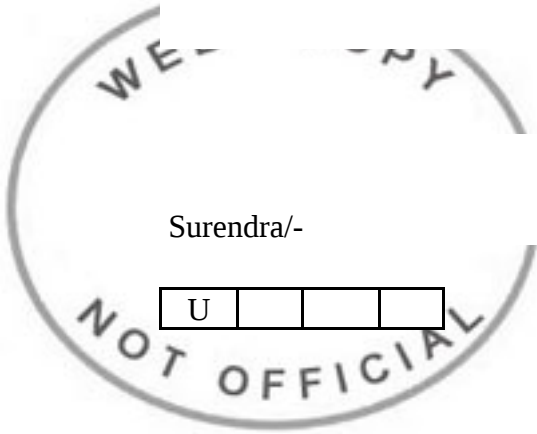
11 of the petition. It is further submitted that similar stand was taken by the petitioner before the learned court below but the offer of the petitioner was not accepted by the informant, which gets reflected from the impugned order passed by the learned Sessions Judge, Jamui. It is further submitted that the complainant filed Maintenance Case No. 45M/2013 wherein during conciliation the complainant refused to live with the petitioner.

Considering the present stand of the petitioner, let the abovenamed petitioner be released on provisional anticipatory bail for six months, in the event of his 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 the S.D.J.M., Jamui in Complaint Case No. 369C/2013, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. 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, (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)