

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30004 of 2016

Arising Out of PS.Case No. -1441 Year- 2015 Thana -COMPLAINT CASE District- JAMUI

1. Prasant Kumar Son of Late Satyanarayan Mandal, resident of Village- Badripara, side of Jamalpur, Railway Cinema Hall, P.S.- Jamalpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Deepali Kumari W/o Prasant Kumar resident of Village- Badripara, side of Jamalpur, Railway Cinema Hall, P.S.- Jamalpur, District- Munger.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Mr. Smt. Asha Devi

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-10-2016 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 504, 323, 377 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demand, making assault and committed unnatural offence.

It is submitted by the learned counsel for the petitioner that petitioner admits his marriage with the

complainant and birth of a child and he is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in para-2 of the supplementary affidavit which reads as follows:-

“That it is humbly submitted that petitioner is ready to keep the complainant (O.P. No. 2) as his wife with full love, affection and dignity.”

It is submitted by the learned counsel for the complainant that complainant is still ready to resume the conjugal life and accepts the offer of the petitioner.

Both the petitioner and complainant agree to appear before the learned court below on 24th October, 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 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 bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jamui in connection with Complaint Case No. 1441C of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed within six months by the learned court below in three eventualities:- (i) on substantial restoration of the

matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

P.K./-

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