

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30846 of 2016

Arising Out of PS.Case No. -1101 Year- 2014 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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Dharmendra Pandit, S/o Shiv Narayan Pandit, resident of Village Phulbaria,
P.S.- Barauni, District- Begusarai.

.... Petitioner

Versus

1. The State of Bihar.
2. Suchita Devi W/o Dharmendra Pandit, D/o Sharwan Pandit resident of
Village- Tribhuwan Tola South, Bhadas, Ward No.3, P.S.- Muffasil,
District- Khagaria.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 25-07-2016 Heard learned counsels for the petitioner and the

State.

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 Section 498A of the Indian Penal Code

and Section 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture and further dowry

demand of Rs. 30,000/-.

It is submitted by learned counsel for the petitioner

that the petitioner admits his marriage with the complainant and

is ready to keep the informant as his wife full dignity and honour.

A statement to that effect has been made in Para-9 of the petition, which reads as follows:-

“That the petitioner being husband of the opposite party no. 2 is ready to keep his wife with full dignity and honour if the complainant wanted to live with the petitioner.”

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner. Both have agreed to appear before the learned Court below on 10th of August, 2016 and the petitioner will take the complainant to her matrimonial house.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for one year 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 learned Sub-Divisional Judicial Magistrate, Khagaria in connection with Complaint Case No. 1101C of 2014, 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 informant for her appearance. On her appearance, the petitioner

will take the informant to keep her as wife with full dignity and honour.

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)

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