

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28612 of 2016

Arising Out of PS.Case No. -3490 Year- 2011 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Ravish Paswan son of Shri Khalindra Paswan, resident of village- Bahasi near Kali Mandir and Chuhar Baba Akhara, P.S.- Jandaha, Distt.- Vaishali at Hajipur.

.... Petitioner

Versus

1. The State of Bihar
2. Pramila Devi W/o Sri Ravish Paswan, D/o Bimal Paswan, resident of village- Hela Bazar, P.S.- Hajipur, Distt.- Vaishali.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Anil Kr Singh No. 6, Advocate
For the Opposite Party/s : Mr. Sri Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-07-2016 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 offence punishable under Section 498A of the Indian Penal Code and 4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and he is

ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in paragraph-6 of the petition which reads as follows :-

“That the petitioner is the husband and he is ready to keep his wife with dignity and to bring her with back and want to maintain her with full honour and dignity.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for three 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 Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Hajipur at Vaishali in connection with Complaint Case No.3490 of 2011/Trial No.3979 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the complainant for 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 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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