

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41491 of 2016

Arising Out of PS.Case No. -1083 Year- 2015 Thana -BUXAR COMPLAINT CASE District-
BUXAR

=====

Haresh Ram

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. Kumar Virendra Narayan

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 24-10-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the daughter of the complainant is apprehending arrest in a complaint case in which processes were directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code and section 4 of Dowry Prohibition Act.

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

On instruction it is submitted that the petitioner admits his marriage with the daughter of the complainant and is ready to keep her as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 7 of the petition which reads as follows:

“That the petitioner is ready to keep his wife with full

respect and dignity. But she is not ready to lead conjugal life without any rhyme and reason. ”

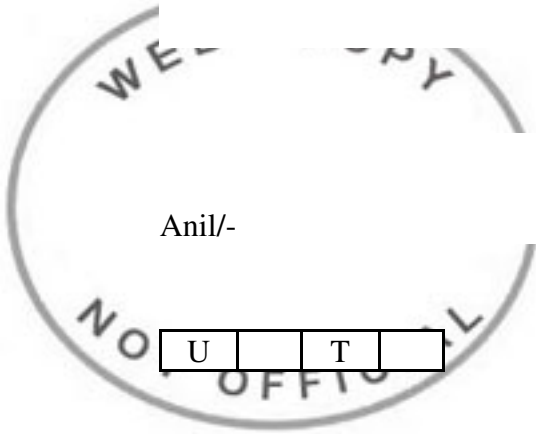
It is further submitted that similar was the stand of the petitioner before the learned court below.

In the circumstances, this court is inclined to grant one more chance to the parties to reconcile the issue. Let the above named petitioner be released on provisional anticipatory bail for six months in the event of arrest or surrender before the learned Court below within a period of six 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 SDJM, Buxar in connection with Complaint Case No. 1083C of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the daughter of the complainant and on her appearance the petitioner will take her 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 or (ii) if the daughter of the complainant fails to appear before the learned court below or (iii) if the daughter of the complainant deliberately

gets reluctant to reconcile the issue.



(Dinesh Kumar Singh, J)