

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37663 of 2016

Arising Out of PS.Case No. -1496 Year- 2015 Thana -EAST CHAMPARAN COMPLAINT
District- EASTCHAMPARAN(MOTIHARI)

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Sona Lal Yadav @ Upendra Yadav

.... Petitioner/s

Versus

1. State of Bihar,
2. Soni Devi alias Sunni Devi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhurendra Kumar

For the Opposite Party/s : Mr. Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 30-08-2016

Heard learned counsels for the petitioner,

complainant and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case filed with accusation under section 498A IPC and sections 3 and 4 of Dowry Prohibition Act in which processes were directed to be issued after cognizance being taken.

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

The petitioner admits his marriage with the complainant. On instructions, it is submitted that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to the aforesaid effect has

been made in paragraph 8 of the petition which reads as follows:

“That the petitioner is ready to keep the complainant/opposite parties with full honour and dignity.’

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner. Both petitioner and the complainant agree to appear before the learned court below on 19.9.2016 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the petitioner, 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 Sadar, East Champaran at Motihari in connection with Complaint Case No. C-1496 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

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 complainant fails to appear before the learned court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Anil/-

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