

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18732 of 2016

Arising Out of PS.Case No. -1058 Year- 2015 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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Veer Vikram Kumar son of Nunu Lal Sah.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-05-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and birth of a male child and is ready to keep them with full dignity and honour. A statement to that effect has been made in para 9 of the petition, relevant portion of the same reads as follows:-

“That.... the petitioner is always ready to keep his wife with full dignity, affection and love alongwith the only son born out of the wedlock with O.P.

No.2.”

Learned counsel for the complainant, on instruction, submits that the complainant is ready to accept the offer of the petitioner providing the petitioner keeps the complainant and her child at the place of his posting as the petitioner is posted at Wadi Station in Karnataka as Assistant Station Master. Learned counsel for the petitioner submits that the petitioner is ready to keep the complainant at his place of posting.

Both sides agree to appear before the learned court below on 19th of May, 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 one year 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Khagaria in connection with Complaint Case No. 1058C 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 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)

Amrendra/-

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