

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23469 of 2016

Arising Out of PS.Case No. -2663 Year- 2015 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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1. Vinay Kumar Singh S/o Rudra Narayan Singh, Resident of village-
Bariyarpur, P.S.- Sakara, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Bhawana Kumari D/o Uma Shankar Prasad, Resident of village- Naya
Tola, P.S.- Kaji Muhamadpur, District- Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha

For the Opposite Party/s : Mr. Shantanu Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-05-2016 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 in which processes were
directed to be issued after cognizance being taken under Sections
323,498A and 504 of the Indian Penal Code and sections 3 and 4
of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment
of dowry demands, making assault to the complainant and driving
her and her children out from matrimonial home after snatching
her belongings.

The petitioner admits his marriage with the



complainant and birth of a child. 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 9 of the petition. It is further submitted that similar was the stand of the petitioner before the learned court below but the complainant refused to accept the offer of the petitioner which gets reflected from the impugned order.

However, learned counsel for the complainant submits that the now complainant is ready to accept the offer of the petitioner. Both petitioner and the complainant agree to appear before the learned court below on 14.6.2015 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

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 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 ACJM cum Sub Judge Ist, Muzaffarpur in connection with Complaint Case No. 2663 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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