

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2706 of 2016

Arising Out of PS.Case No. -5909 Year- 2015 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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1. Shankar Das @ Shankar Kumar Son of Binda Das @ Binda Ravidas
2. Binda Das @ Binda Ravidas Son of Late Prayag Das
3. Chinta Devi Wife of Binda Das @ Binda Ravidas All Resident of
Thakur Sthan, Nai Pokhar, P.S.-Rajgir in the district of Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar
2. Kiran Devi Wife of Shankar Das @ Shankar Ravidas, D/o Mohan Das
Resident of Village-Maduhar, P.S.-Kawakole, District-Nawada.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Adv.

For the Opposite Party/s : Mr. Nawal Kishore Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-01-2016 Heard learned counsels for the petitioner and the State.

The petitioner no.1 being the husband of the complainant and petitioner nos. 2 and 3 being the parents of petitioner no.1 are apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code.

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

Learned counsel for the petitioners submits that the petitioner no.1 admits his marriage with the complainant and is

ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 12 of the petition which reads as follows:-

“That the petitioner no.1 is still ready to keep his wife with full honour and dignity.”

Considering the present stand of the petitioner no.1, let the above named petitioner no.1 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 JM, 1st Class, Nawada in connection with Complaint Case Nos. 5909 of 2015/269 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 complainant for her appearance. On her appearance, the petitioner no.1 will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner no.1 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.

Considering the present stand of the petitioner no.1, let the above named petitioner nos. 2 and 3 be released on anticipatory bail 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) each with two sureties of the like amount each to the satisfaction of learned JM, 1st Class, Nawada in connection with Complaint Case Nos. 5909 of 2015/269 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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