

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.5342 of 2016**

Complaint Case No.. -397 Year- 2013 Thana -AURANGABAD COMPLAINT CASE District-  
AURANGABAD

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Satish Kumar Singh @ Chunnu Son of Shri Parmanand Singh  
..... Petitioner/s

Versus

1. The State of Bihar.  
2. Amrita Singh Wife of Satish Kumar Singh @ Chunnu  
..... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Leelawati Kumari, Advocate  
For the Opposite Party/s : Mr. Khurshid Anwar (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

2      02-02-2016                      Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 323, 379 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

Prayer for anticipatory bail of the petitioner was disposed of by the learned Sessions Judge on the ground that since only summons have been issued which gets reflected from the impugned order. But it is submitted by learned counsel for the petitioner that non-bailable warrant has been issued, a statement to that effect has been made in paragraph 10 of the petition :-

*"10. That non bailable warrant of arrest also has been issued on 10.12.2015 against the petitioner."*

On instruction, learned counsel for the petitioner further submits that the petitioner admits his marriage with the complainant and he is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 9 of the petition which reads as follows:-

*"9. That petitioner is husband of the opposite party no.2 and he is ready to keep his wife with all respect."*

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 CJM, Aurangabad in connection with Complaint Case No.397/2013 , 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 will take the complainant to keep her as wife with full dignity and honour.

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)**

Ashwini/-

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