

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6314 of 2016

Complaint Case No. -1261 Year- 2014 Thana -ROHTAS COMPLAINT CASE District- SASARAM
(ROHTAS)

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Bipin Singh, Son of Lalan Singh,

.... Petitioner/s

Versus

1. The State of Bihar.

2. Prabha Devi W/o Bipin Paswan, D/o Vidya Sagar Prasad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Tiwary, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-02-2016

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 Section 498A of the Indian Penal Code and 4 of the Dowry Prohibition Act.

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

On instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and birth of two children from the wedlock.

From the impugned order it appears that initially the petitioner offered to keep the complainant as wife with dignity and honour but when the complainant appeared, the petitioner refused

to keep her.

Learned counsel for the petitioner further submits that the petitioner is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 6 of the petition which reads as follows:-

"6. That the allegation alleged in the complaint petition is baseless rather the petitioner is ready to keep his wife with full dignity."

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for four months 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, Sasaram in connection with Complaint Case No.1261/2014, 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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