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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7719 of 2016

Arising Out of PS.Case No. -3687 Year- 2013 Thana -PURNIA COMPLAINT CASE District-PURNIA

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Anil Singh S/o Shri Ramchadra Singh Resident of Village- Phullaut, P.s Phullaut District Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Soniya W/o Anil singh, D/o Nawal Kishore Rai Resident of Village-Bishnupur, Ps Dhamdaha, District Purnea.l

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Tarun Kumar Shekhar, Adv.
For the Opposite Party/s : Mr. G.S. Gupta (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-02-2016 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 of the Indian Penal Code and Section 3/4 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 two children 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 which reads as follows:-

> "*That ...the petitioner is always ready to keep her with all dignity....*"

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six 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 CJM, Purnea in connection with Complaint Case No. 3687 of 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)

Amrendra/-

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