

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27888 of 2016

Arising Out of PS.Case No. -2473 Year- 2014 Thana -SARAN COMPLAINT CASE District-
SARAN

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Sonu Kumar @ Sonu Kumar Mishra @ Chunmun Kumar Mishra @
Chunmun Mishra son of Sri Ram Narayan Mishra resident of Village-
Sarsaiya, P.S. Bhagwanpur, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Surendra Singh son of Late Yadunandan Singh resident of Village
Brahmpur Gopi, P.S. Masrakh, District- Saran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Adv.
For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-07-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the daughter of complainant is apprehending arrest in a complaint case filed with accusation for the offences punishable under Sections 147, 341, 323, 379, 307 and 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act wherein process has been directed to be issued after cognizance being taken.

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 daughter complainant and

is ready to keep the daughter of 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 complainant’s daughter Priyanka Devi is the wife of the petitioner and he is always ready to keep her with full dignity and honour but it is the Priyanka Devi who is not willing to live with her in-laws in her Sasural.”

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, Chapra, Saran in connection with Complaint Case No. 2473 of 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)

Amrendra/-

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