

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28270 of 2016

Arising Out of PS.Case No. -297 Year- 2015 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Sushila Devi wife of Dinanath Singh
2. Santu Singh Son of Dinanath Singh Both residents of Village + P.O. -
Rajan Dih, P.S. - Rajpur, District - Rohtas at Sasaram.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Guriya Devi wife of Santu Singh, D/o Singasan Singh presently residing
at Village -Khairahi, P.O. - Karhasi, P.S. - Natwar, District - Rohtas at
Sasaram.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar, Advocate

For the Opposite Party/s : Mr. Sri Dilip Kumar

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

ORAL ORDER

2 11-07-2016 Heard learned counsel for the petitioners and the
State.

The petitioner no. 2 being the husband of the complainant and petitioner no. 1 is the mother of petitioner no. 2 are apprehending their arrest in a complaint case in which processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 324, 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the

petitioners that petitioner no.2 admits his marriage with the complainant and birth of two children and he is ready to keep the complainant as wife with full dignity and honour. The children are residing with petitioner no. 2. Statement to that effect has been made in para-10 of the petition which reads as follows:-

“That the petitioners are ready to keep her with full honour and dignity as per their capacity.”

Considering the present stand of petitioner no. 2, let the above named petitioner no.1 namely Sushila Devi be released on bail in the event of her arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas in connection with Complaint Case No. 297 of 2015, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

Considering the present stand of petitioner no. 2, let the above named petitioner no. 2 namely Santu Singh be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the

like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bikramganj, Rohtas in connection with Complaint Case No. 297 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant 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 no. 2 will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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