

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28550 of 2016

Arising Out of PS.Case No. -723 Year- 2015 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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Santosh Kumar @ Santosh Kr. Verma Son of Sri Ram Chandra Verma
Resident of Narayanpur Bazar, P.S. Adalahat (Narayan Pur Chauki),
District - Mirzapur (U.P.)

.... Petitioner

Versus

1. The State of Bihar
2. Purnima Devi Daughter of Triloki Prasad Verma Resident of Baba
Nagar (Syndicate), P.S. Buxar (Au), District - Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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

ORAL ORDER

3 20-07-2016 Heard learned counsel for the parties.

The petitioner being the husband of the complainant is apprehending his arrest in a complaint case wherein processes have been directed to be issued after cognizance being taken for the offences punishable under sections 498A of the Indian Penal Code and 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demands.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the complainant and he is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in paragraph 8 of

the petition. It is further submitted that though the petitioner has filed Matrimonial Suit No. 101/2016 in the court of the Principal Judge, Family Court, Mirzapur on 28.4.2016 with a prayer for divorce but the petitioner is still ready to keep the complainant as wife with full dignity and honour.

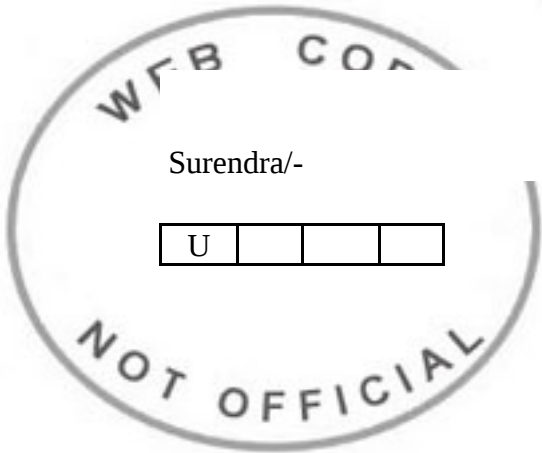
Learned counsel for the complainant submits that the complainant is ready to resume the conjugal life.

Considering the present stand of the parties, let the abovenamed petitioner be released on provisional anticipatory bail for one year, in the event of his arrest or surrender before the court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar in Complaint Case No. 723C/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

Both the sides agree to appear before the learned court below on 11th August, 2016 when 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 the 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)