

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37256 of 2016

Arising Out of PS.Case No. -407 Year- 2015 Thana -SHEKHPURA COMPLAINT CASE District-
SEKHPURA

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1. Ranjeet Ranjan, Son of Late Mahendra Ram, Resident of village-
Nawada, P.O.- Tilakpur,P.S.- Sultanganj, District- Bhagalpur, At present
Resident of Mohalla- Purabsarai, Chaudhary Bhawan, Chaturbhuj Sahay
Road, P.S.- Kotwali, District- Munger Petitioner

Versus

1. The State of Bihar
2. Mala Kumari W/o Sri Ranjit Ranjan D/o Sri Bino Ram resident of
village- Bhadansi, P.O.- Bhadansi, P.S.- Korma, Distt.- Sheikhpura
.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Suman Kumar Mishra, Adv.

For the Opposite Parties : Mr. Ajay Kumar Jha, APP 243

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

ORAL ORDER

2 29-08-2016 Heard the learned counsel for the petitioner and the
State.

The petitioner, being the husband of the complainant,
apprehending arrest in a case registered under Sections 498A, 323,
504, 379 and 406 of the Indian Penal Code and 3 and 4 of the
Dowry Prohibition Act.

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

On instruction, it is submitted that the petitioner
admits his marriage with the complainant and is ready to keep the
complainant as wife with full dignity and honour. Statement to
the aforesaid effect has been made in paragraph no. 11 of the
petition, which reads as follows :

“That, petitioner is always ready to live to the
complainant with full dignity and love but she
always refuse to live with them.”

It appears from the impugned order that the anticipatory bail application has been disposed off by the learned Session's Judge since only summon have been issued, which reads as follows :

“..... he be granted pre-arrest bail before he appears in the complaint case, though merely summon has been issued to him.....”

Considering the present stand of the petitioner, above named, 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 Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Complaint Case No. 407(C) of 2015 to the satisfaction of the Subdivisional Judicial Magistrate, Sheikhpura.

Let the learned Court below issue notice to the complainant-opposite party no. 2 and on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the complainant fails to appear before the learned Court below or (iii) if the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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