

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39247 of 2016

Arising Out of Complaint Case No. -2242 Year- 2015 Thana -BHOJPUR COMPLAINT CASE
District- BHOJPUR

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Vinay Yadav Son of Sita Ram Yadav

.... Petitioner/s

Versus

1. The State of Bihar.
2. Jai Kumar Singh Son of Deo Chanran Singh

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Parmanand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-09-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the daughter 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 4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the daughter of the complainant and he is ready to keep her as wife with full dignity and honour. A statement to that effect has been made in para 11 of the petition which reads as follows:-

"That inspite of this the petitioner is still ready to

keep the daughter of the complainant namely Rinku Devi as a duly wedded wife with full honour and dignity."

It appears that initially similar was the stand of the petitioner before the learned Court below, but the impugned order suggests that on appearance of daughter of the complainant, the petitioner failed to keep her.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for four 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 SDJM, Bhojpur, Ara, in connection with Complaint Case No.2242C/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the daughter of the complainant for her appearance. On her appearance, the petitioner will take the daughter of 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 daughter of the

complainant fails to appear before the learned court below or (iii)
if the daughter of the complainant gets reluctant to reconcile the
issue.

Ashwini/-

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(Dinesh Kumar Singh, J)