

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9145 of 2016

Arising Out of PS.Case No. -515 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Jitendra Kumar @ Jitendra Kumar Singh, son of Late Yugal Kishore Singh,
resident of Village-Bakhtiyarpur, Purabi Tola, P.S.-Bakhtiyarpur, District-
Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Madhumita Devi, daughter of Surya Kumar Sharma @ Jharkhandi
Singh, resident of Village-Raili, P.S.-Pandarak, District-Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Uma Nath Mishra(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-02-2016

The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 6 of the petition which reads as follows:-

“That the petitioner humbly

stated and submitted that the entire allegations are

false and fabricated and he and his other family members never demanded anything from the complainant and the petitioner is ready to keep and maintain the complainant with full love, affection and dignity if she cooperates”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for six months on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Barh in connection with Complaint Case No. 515(C) of 2014.

Let learned Court below issue notice to the complainant and fix a date for her appearance. On appearance, the petitioner will take the complainant to her matrimonial house 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) On substantial restoration of the matrimonial harmony within a period of six months (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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