

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10813 of 2016

Arising Out of PS.Case No. -637 Year- 2014 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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Anil Kumar son of Shankar Mahto, resident of Village-Malama, P.S.-Sare,
District-Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. Sunaina Devi, wife of Anil Kumar, resident of Village-Malama,
P.O.-Awadhachak, Dumrana, P.S.-Sare, District-Nalanda(Bihar)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhuti Ranjan Sonvadra

For the Opposite Party/s : Mr. Binod Kumar No. 2(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2016

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 Sections 323, 497, 498A, 504 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand and illicit relationship with a lady namely Meena Devi.

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the complainant and birth of three children in which one child has died. The petitioner is still ready to keep the complainant as wife with full dignity and honour and similar was the stand before learned Court below. A statement to that

effect has been made in para 9 of the petition which reads as follows:-

“That the petitioner is ready
to keep his wife and children with all due respect
and honour”

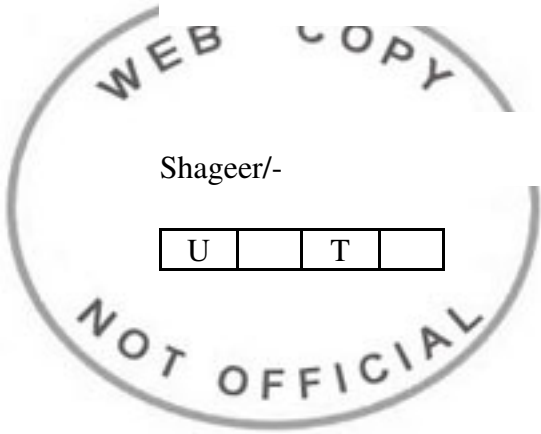
It is further submitted that petitioner denied to have known to Meena Devi, hence there is no question of petitioner having illicit relationship with Meena Devi.

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 Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Complaint Case No. 637C 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)