

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27798 of 2016**

Arising Out of PS.Case No. -1438 Year- 2015 Thana -BHABHU(KAIMUR) COMPLAIN C  
District- BHABHUA (KAIMUR)

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1. Dinesh Singh Son of Ramashish Singh Resident of Village - Sahwalia,  
Post - Kapasia, Police Station - Kochas, District - Rohtas (Sasaram).

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Rimjhim Singh @ Champa Singh wife of Dinesh Singh, Daughter of  
Dinanath Singh presently residing at Village - Ameth, Post - Bhatti,  
Police Station - Mohania, District - Kaimur at Bhabhua).

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shyam Bihari Singh  
For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

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

3      20-10-2016                                      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/34 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.

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the complainant and birth of two children who are aged about 12 and 13 years and are residing with the petitioner. The petitioner is ready to keep the complainant 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 the petitioner is husband and ready to keep and maintain her wife with full honour and dignity.”

It is further submitted that similar was the stand of the petitioner before learned Court below which gets reflected from the impugned order.

It is submitted by learned counsel for the complainant that complainant is ready to accept the offer of the petitioner but she is apprehensive due to the past conduct of the petitioner as before learned Court below, outside the Court, the petitioner abused the complainant and threatened her.

Both sides agree to appear before learned Court below on 10<sup>th</sup> of November, 2016, when the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the above mentioned stand of the parties, 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 one year on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabhua in connection with Complaint Case No. 1438 of 2015.

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 one year (ii) If the complainant fails to appear before learned Court below (iii) If the complainant is reluctant to reconcile the issue.

In case of non-confirmation of provisional anticipatory bail, learned Court below will cancel the bail bonds of the petitioner.

Shageer/-

(Dinesh Kumar Singh, J)

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