

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36115 of 2016

Arising Out of PS.Case No. -2571 Year- 2015 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Rajesh Kumar Singh S/o Vijay Kumar Singh Resident of Mohalla-
Laliyahi,PS - Katihar Sahayak, Dist Katihar.

.... Petitioner

Versus

1. The State of Bihar null null
2. Punita Singh@ Pampam W/o Rajesh Kumar Singh Resident of Mohalla-
Binodpur, P.S. Katihar, Distt Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal

For the Opposite Party/s : Mr. Umeshnand Pandit

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

ORAL ORDER

2 22-08-2016 Heard learned counsel for the parties.

The petitioner being the husband of the complainant is apprehending his 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 basic accusation is of torture for non-fulfillment of dowry demands.

It is submitted by the learned counsel for the petitioner that the petitioner though expressed his willingness to keep the complainant but now the petitioner is ready to keep the complainant with full dignity and honour. Statement to that effect

has been made in paragraph 8 of the petition, which reads as follows:

"That, it is further submitted and stated that petitioner wants to keep her complainant wife with full dignity and honour whereas due to misunderstanding it is wrongly typed in the impugned order that petitioner is not ready to keep her and he has already married with another lady while truth is that he is ready to keep her wife and he has not married with any lay and it would be evident that petitioner has mentioned in his bail petition filed before the learned Sessions Judge, Katihar vide paragraph no.1, that he is ready to keep her wife which may be produced at the time of hearing this case before this Hon'ble Court."

Considering the present stand of the petitioner, let the abovenamed petitioner be released on provisional anticipatory bail for six months, in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Katihar in Complaint Case No. 2571/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. On her appearance, the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed

by the learned court below in three eventualities: (i) if the matrimonial harmony is substantially restored, (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Surendra/-

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