

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47177 of 2015

Arising Out of PS.Case No. -215 Year- 2013 Thana -BHOJPUR COMPLAINT CASE District-
BHOJPUR

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Sanjay Kumar Thakur

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Sharda Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 10-03-2016

The matter has been listed under the heading “For Orders on Office Notes” due to non-appearance of opposite party no.2 but since the learned counsel for the complainant has entered appearance and petitioner and the complainant are present in the court, the matter is being taken up for admission.

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

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and is ready to

keep the complainant as wife with full dignity and honour. Though, the petitioner filed Matrimonial Suit No. 104 of 2012 with a prayer for divorce prior to the filing of present complaint but the petitioner is ready to withdraw the same.

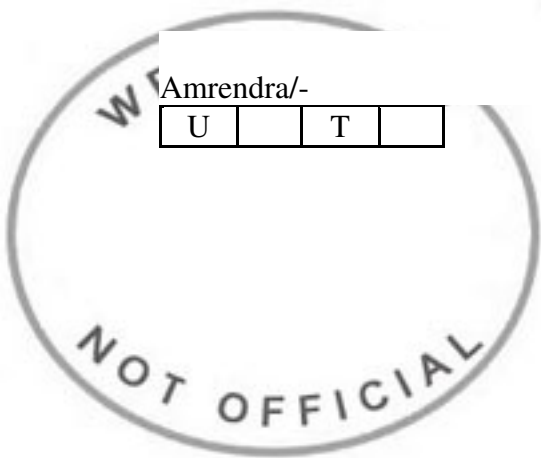
Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 18th of April, 2016 when the petitioner will take the complainant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for one year 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 at Ara in connection with Complaint Case No. 215C of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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 complainant fails to appear before the learned court below or (iii) if the complainant

gets reluctant to reconcile the issue.



(Dinesh Kumar Singh, J)