

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32076 of 2016

Arising Out of PS.Case No. -1215 Year- 2015 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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Ram Binay Pandit S/o Ramvilas Pandit, resident of Village- Amni, P.S.-
Mansi, District- Khagaria.

.... Petitioner

Versus

1. The State of Bihar.
2. Lalita Devi W/o Ram Binay Pandit at present resident at resident of
Village- Kanjri, P.S. Beldaur, District- Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sri Atul Chandra

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

ORAL ORDER

2 01-08-2016 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 section 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 admits his marriage with the complainant and he is ready to keep the complainant with full dignity and honour. Statement to that effect has been made in paragraph 10 of the



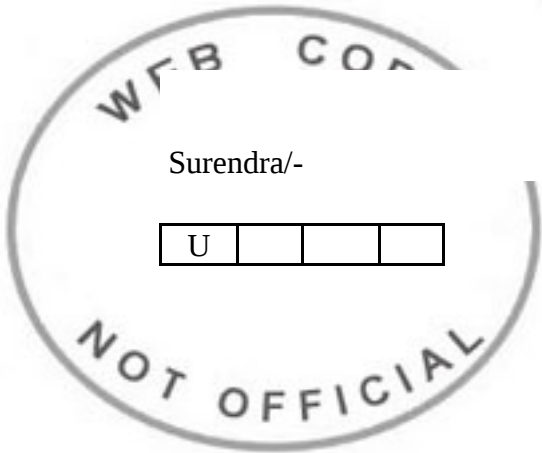
petition. It is further submitted that similar stand was taken by the petitioner before the learned court below but the offer of the petitioner was not accepted by the complainant, which gets reflected from the impugned order passed by the learned Sessions Judge, Khagaria.

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 Sub-divisional Judicial Magistrate, Khagaria in Complaint Case No. 1215C/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.



Surendra/-

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(Dinesh Kumar Singh, J)