

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10497 of 2016

Arising Out of Complaint Case No. -938 Year- 2013 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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Manoj Gond, son of Sri Lalan Gond

.... Petitioner/s

Versus

1. The State of Bihar
2. Puja Devi Wife of Manoj Gond

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Tarun Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Bachan Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 03-03-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending 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 Section 4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and birth of three children from the wedlock. Now, the issue has been resolved between the parties and the complainant is residing at the parental

of the petitioner. A statement to that effect has been made in paragraph 3 of the supplementary affidavit, which reads as follows :-

"That with the interference of the family member and the respected members of the society, now petitioner is ready to keep the O.P. No.2 including her children in his house and maintain all expenses and accordingly after this settlement O.P. No.2 is living at the parental house of the petitioner and entire dispute has been solved mutually between them."

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for three months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Buxar, in connection with Complaint Case No.938C of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the petitioner appear before the learned Court below on 4th April, 2016 along with the complainant. Upon their appearance, if the complainant accepts the factum of compromise as stated in paragraph 3 of supplementary affidavit,

the learned court below will confirm the provisional bail of the petitioner. Otherwise the petitioner will surrender and pray for regular bail.

Ashwini/-

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(Dinesh Kumar Singh, J)