

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8009 of 2016

Complaint Case No. -1471 Year- 2014 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Prashant Kumar @ Prahlad Paswan, son of Jaldhar Paswan

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate

For the Opposite Party/s : Mr. Pradip Narayan Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-02-2016

Learned counsel for the petitioner is permitted to
make necessary correction in the petition.

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 3/4
of the Dowry Prohibition Act.

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

On instruction, learned counsel for the petitioner
submits that the petitioner admits his marriage with the
complainant and has filed Matrimonial Case No. 33/2016 for
restitution of conjugal rights.

It is further submitted that 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 7 of the petition which reads as follows:-

"7. That the petitioner has ready to kept the complainant (Meeta Kumari) as a wife and give her full support for living and dignity and honour."

Similar was the stand of the petitioner before the learned court below but the complainant refused to accept the offer of the petitioner.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months 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, Bhagalpur in connection with Complaint Case No.1471/2014, subject to the conditions as laid down under Section 438(2) 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 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)

Ashwini/-

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