

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12688 of 2017

Arising Out of PS.Case No. -77 Year- 2015 Thana -PATNA COMPLAINT CASE District- PATNA
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Anjani Kumar, Son of Damodar Prasad, resident of Mohalla- New Police Line, Kashyap Nagar, Police Station- Nawada, Ara, District- Bhojpur, Ara.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Priya Sinha @ Soni @ Sonu, Wife of Anjani Kumar, D/o Surendra Prasad Sinha, resident of C/o Shyama Devi, Street No. 8, Road No. 14B Samrat Colony, Ashok Nagar, Kankarbagh, Police Station- Kankarbagh, District- Patna.

.... Opposite Party/s
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Appearance :

For the Petitioner/s : Mr. Makardhwaj Upadhyay

For the Opposite Party/s : Mr. Md. Ansarul Haque
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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

3 23-05-2017 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No.77C of 2015 registered for the offences punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Wife of the petitioner complainant made allegation of demand of dowry and torture for the same.

Learned counsel for the petitioner submits that the petitioner has filed a petition for restitution of conjugal rite, but the wife of the petitioner complainant did not appear. Thereafter, the petitioner filed divorce case. He further submits that the



petitioner is ready to keep his wife.

Considering the facts aforesaid and the fact that the petitioner is still willing to keep his wife, the petitioner is directed to surrender in the learned court below within four weeks from the date of receipt/production of a copy of this order and on such the learned court below shall enlarge the petitioner on provisional bail for four months on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Patna in connection with Complaint Case No.77C of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. Thereafter, the learned court below shall make all efforts for resolution of the dispute between the husband and the wife. If the petitioner keeps his wife properly, the learned court below shall confirm the provisional bail granted to the petitioner and if the petitioner fails to keep his wife properly the court below shall pass order on provisional bail of the petitioner in accordance with law immediately after expiry of four months.

Arvind/-

(Prabhat Kumar Jha, J)

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