

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67901 of 2018

Arising Out of PS. Case No.-1000 Year-2017 Thana- BUXAR COMPLAINT CASE District-
Buxar

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KAMLESH RAM @ KAMLESH KUMAR RAM @ KAMLESH KUMAR
Son of Singashan Ram Resident of Village-Basantpur,P.S. Itarhi,Distt.-Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kanchan Devi @ Kanchan Kumari, D/o Rajeshwar Ram Resident of Village-Akouni,P.S. Dumraon,Distt.-Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-12-2018 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.

The prosecution case as per the complaint petition is that the marriage between the complainant and the petitioner was performed on 25.04.2017. Subsequent to marriage, further dowry demand of a motorcycle and cash of Rs.50,000/- was made and for non-fulfillment of the same, the complainant was



not only tortured, but also driven out from the matrimonial house on 03.05.2016.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and he is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 6 of the petition which reads as follows:-

“6.That the petitioner is the husband of the complainant and he always ready to keep his wife with full respect and dignity.”

Learned counsel for the complainant submits that the complainant accepts the offer of the petitioner.

Both sides agree to appear before the learned court below on 16th of January, 2019 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 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 Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-III, Buxar, in connection with Complaint Case No.1000 C of 2017, 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 or, (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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