

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21719 of 2019

Arising Out of PS. Case No.-524 Year-2017 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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SAKALDEEP BIND Son of Sita Bind, Resident of Village-Afjalbigha, P.S.-
Chandi, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shanti Devi Daughter of Satish Bind, Resident of Village-Bhatahar, P.S.-
Tharthari, District-Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha

For the Opposite Party/s : Mr.Ashraf Ansari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-04-2019 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 complainant is that she was married with the petitioner in the year 2015, but there was further dowry demand of a motorcycle and due to non-fulfillment of the same, torture was inflicted upon the complainant. The accused persons also assaulted the



complainant.

Learned counsel for the petitioner submits that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. A statement to that effect has been made in para 8 of the petition which reads as follows:-

“That petitioner is ready to keep his wife with full honour and dignity.”

It appears from the impugned order that despite direction of the learned Court below, the petitioner chose not to appear before the learned Court below to reconcile the issue, whereas the complainant appeared and expressed her willingness to reconcile the issue.

Considering the present stand of the petitioner and the stand of the complainant recorded in the impugned order, 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 SDJM, Hilsa, in connection with Complaint Case No. 524C of 2017, 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, 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)

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