

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63225 of 2018

Arising Out of PS. Case No.-346 Year-2016 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

=====

Sudhir Safi @ Sudhir Kumar Safi son of Hari Safi, resident of Village- Pirhi,
P.S. Babubarhi, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shila Devi, D/o Thakai Safi, resident of Village- Andhara Thadhi Tole Palar,
P.S. Andhra Thadhi, District- Madhubani.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr.Ravi Ranjan, Advocate
For the Opposite Party/s	:	Mrs. Asha Devi, APP
For the Complainant	:	Mr. Jitendra Kumar Bharti, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 21-01-2019 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned APP for the State.

The petitioner, being the husband of the complainant,
is apprehending his arrest in a complaint case, wherein process
has been directed to be issued after cognizance being taken for
the offences punishable under Sections 498A, 323, 379 of the
Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

The prosecution case, as per the complaint petition, is
that the complainant was married with the petitioner about two
years prior to the lodging of the complaint, but subsequent to the
marriage, further dowry demand of Rs.Fifty thousand and a she
buffalo were made and due to the non-fulfillment of the same,



torture was inflicted upon the complainant. On 27.05.2016, the accused persons snatched all the belongings of the complainant and driven her out from the matrimonial house.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour, statement to that effect has been made in paragraph 11 of the petition, which reads as follows:-

“That, the petitioner is still ready to keep the complainant with dignity and honour.”

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner but she is apprehensive due to the past conduct of the petitioner.

Both sides agree to appear before the learned Court below on 4th of February, 2019 when the petitioner will take the complainant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the present stand of the parties with lurking hope that the issue may reconcile in future, 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Jhanjharpur in connection with C.R. Case No. 346 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the 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)

DKS/-

U		T	
---	--	---	--

