

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48238 of 2019**

Arising Out of PS. Case No.-1373 Year-2018 Thana- VAISALI COMPLAINT CASE
District- Vaishali

=====

DHIRAJ KUMAR PANDEY @ DHIRAJ PANDEY Son of Shambhu Pandey
Resident of Dayalpur, P.S.- Raja Pakar, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari @ Priyanka Devi Wife of Dhiraj Pandey At present R/O -
Nayaganj, P.S.- Desari, District - Vaishali

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar

For the Opposite Party/s : Mr.Shyameshwar Dayal

=====

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 02-08-2019 Heard learned counsels for the parties.

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 IPC.

The prosecution case as per the complaint petition is that the marriage of the complainant with the petitioner was performed on 13.6.2015 but subsequent to the marriage, there was further dowry demand of Rupees One Lac and a motorcycle and due to non-fulfillment of the same, torture was inflicted upon the complainant.

It is submitted by learned counsel for the petitioner



that the petitioner admits his marriage with the complainant and is ready to keep her as wife with full dignity and honour. Statement to that effect has been made in paragraph 15 of the petition which reads as follows:

“That it is stated that the petitioner is always ready to take back his wife with full love, care, honour & dignity

It is further submitted that before the learned Court below the petitioner could not appear during mediation since he received fracture injury.

Learned counsel for the complainant submits that the complainant is ready to accept the offer of the petitioner. Both sides agree to appear before the learned court below on 18.8.2019 when the petitioner will take the complainant to her matrimonial house and keep her with full dignity and honour.

Considering the present stand of the petitioner, let the petitioner above named be released on provisional anticipatory bail for six months in the event of arrest or surrender within six weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM V, Vaishali at Hajipur in connection with Complaint Case No. 1373 of 2018 subject to the conditions laid down in 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)

anil/-

U			
---	--	--	--

