

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66984 of 2018

Arising Out of PS. Case No.-42 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Tarun Kumar Son of Lalan Prasad Singh Resident of Village-Harbolwa,P.S.
Chiraiya,Distt.-East Champaran

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Pooja Kumari W/o Tarun Kumar,D/o Paras Nath Singh Resident of Village-Harbolwa,P.S. Chiraiya,Distt.-East Champaran.At present Resident of Village-Karsahiya,P.S. Dhaka,Distt.-East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar No.1
For the Opposite Party/s : Mr.Smt. Anusuiya Jaiswal

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 15-04-2019 Heard learned counsels for the petitioner and the

State.

The petitioner, being the husband of the informant, 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 Sections 3/4 of the Dowry Prohibition Act.

The prosecution case as per the complainant is that the marriage of the complainant was performed with the petitioner on 11.05.2014, but subsequent to the marriage, further dowry demand of Rupees Two Lac cash and a Godrej Almirah were made and due to non-fulfillment of the same,



torture was inflicted upon the complainant. On 23.04.2017, an attempt was also made on the life of the complainant by causing burn injuries.

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 6 of the petition which reads as follows:-

“That the petitioner is the husband
and he is ready to keep the complainant as
wife with full dignity and honour.”

Learned counsel for the complainant submits that though the complainant accepts the offer of the petitioner, but she is apprehensive due to past conduct of the petitioner.

Both sides agree to appear before the learned Court below on 30.04.2019 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 one year 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, Sikarhana at Dhaka, East Champaran in connection with Complaint Case No.42 of 2018 (Tr. No.2819 of 2018), 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 (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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