

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69833 of 2019

Arising Out of PS. Case No.-412 Year-2018 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Malay Kumar Son of Arun Kumar Singh Resident of Village-Ajamgarh, P.S-
Dumra, District-Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Priyanka Pandey W/o Malay Kumar D/o Sheobachan Pandey Residing at
CISF Unit Line, Maha Camp Raipur, Near Raipur Airport, P.S.-Mana,
Chhatisgarh.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sangeet Deokuliar, Advocate
For the State	:	Mr.Umeshanand Pandit, APP
For O.P. No. 2	:	Mr. Pushpendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-11-2019 Heard learned counsel for the petitioner, learned
counsel for the complainant-opposite party no. 2 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 Section 498A of the Indian Penal
Code.

The prosecution case, as per the complaint petition, is
that the marriage between the complainant and the petitioner
was performed 29.04.2013 but subsequent to the marriage,



further dowry demand of Rs.Twenty lakhs for conducting business and for non-fulfillment of the same, torture was inflicted upon the complainant and ultimately she was ousted from the matrimonial home.

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 live with her and to keep her with full dignity and pride of a legally wedded wife if she comes and, resides with him and respect his parents/in laws.”

Learned counsel appearing for the complainant-opposite party no. 2 submits that the complainant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned Court below on 3rd of December, 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, 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, Sadar, Sitamarhi in connection with Complaint Case No. C1-412 of 2018/Trial No. 3058 of 2019, 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.

Either party will be at liberty to file appropriate application in the event of breach of undertaking given before this Court.

(Dinesh Kumar Singh, J)

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