

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4588 of 2020

Arising Out of PS. Case No.-1336 Year-2016 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Santosh Bind, Male, aged about 25 years, Son of Basudeo Bind, Resident of
Village - Musikipur, P.S.- Tarapur, District- Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dulo Devi, Female, aged about 22 years, Wife of Santosh Bind, D/O -
Sukho Bind, Resident of Village - Ashiyachak, P.S.- Sultanganj, District-
Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha
For the Opposite Party/s : Mr. Arbind Kumar Pandey (App 84)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 29-02-2020 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 Sections 498A, 341 and 354B of the

Indian Penal Code and Section 3/4 of the Dowry Prohibition

Act.

Prosecution case as per the complaint petition is to

effect that complainant was married with the petitioner four

years ago, but subsequent to the marriage, further dowry

demand of Rs. one lakh was made and due to non-fulfillment of

the same, the complainant was tortured by all the accused

persons including the petitioner.



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 paragraph 13 of the petition which reads as follows :-

“That ignoring all the issues and being a reasonable person the petitioner is still ready to keep the complainant with full dignity and honour provided she also becomes ready for that”.

Considering the present stand of the petitioner, 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 S.D.J.M., Bhagalpur in connection with Complaint Case No. 1336 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Let the learned court below issue notice to the complainant for her appearance. On appearance of the complainant, 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)

Rahul/Gautam

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