

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86835 of 2019**

Arising Out of PS. Case No.-159 Year-2019 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Ajay Tanti @ Nandan Tanti, Son of Sonelal Tanti Resident of Village - Ward
No.4, Tikapur, Isapur Singhaul, P.S.- Singhaul, Distt.- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pawan Devi, Wife of Ajay Tanti Resident of Village - Singhaul, P.s.-
Singhaul, Distt.- Begusarai, Presently residing at her Fathers House, D/o
Jhapasu Tanti, R/o marsoti, P.s.- Tegrha, Distt.- Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey
For the Opposite Party/s : Mr.Md. Mushtaque Alam

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2020 Heard learned counsels for the petitioner and the

State.

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 and 494 of the IPC and Section 4 of the Dowry Prohibition Act.

The prosecution case, as per the complaint petition is to the effect that the marriage of the complainant was performed with the petitioner on 28.02.2010. Subsequently, they were blessed with four children. It is further alleged that the petitioner had some illicit relationship with one Jyoti Kumari and when the



complainant made protest, she was being tortured by the petitioner.

Learned counsel for the petitioner submits that the petitioner admits his marriage with complainant and birth of four children and he is ready to keep them with full dignity and honour, statement to that effect has been made in paragraph no. 13 of the petition, relevant portion of the same reads as follows:-

“13. That this fact is also required to be considered that the petitioner is still willing to keep the wife with him....”

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/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 like amount each to the satisfaction of learned SDJM, Begusarai in connection with Complaint Case No. 159C of 2019, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Let the learned Court below issue notice to the complainant and on her appearance, 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 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 deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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