

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56213 of 2015

Arising Out of PS.Case No. -302 Year- 2015 Thana -PATLIPUTRA District- PATNA

Manish Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. L.K. Sharma (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-12-2015

Heard learned counsels for the petitioner, informant and the State.

The petitioner being the husband of the sister of the informant is apprehending arrest in a case registered under Sections 498A/34 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

The petitioner admits his marriage with the sister of the informant. On instructions, it is submitted that the petitioner is ready to keep the sister of the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph 12 of the petition, the relevant portion of which reads as follows:

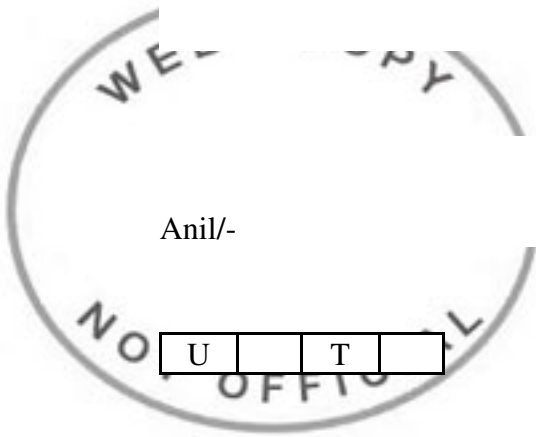
“That the petitioner is still ready to keep the sister of this informant in her matrimonial house with full respect and dignity.....”

Learned counsel for the informant submits that the sister of the informant is ready to accept the offer of the petitioner. Both petitioner and the sister of the informant agree to appear before the learned court below on 15.1.2016 when the petitioner will take the sister of the informant to keep her as wife with full dignity and honour.

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 JM Ist Class, Patna in connection with Patliputra P.S. Case No. 302 of 2015 subject to the conditions as laid down under Section 438(2) 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 informant fails to appear before the learned court below or (iii) if

the informant deliberately gets reluctant to reconcile the issue.



(Dinesh Kumar Singh, J)