

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55546 of 2015

Arising Out of PS.Case No. -63 Year- 2015 Thana -SHIVSAGAR District- SASARAM (ROHTAS)

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1. Anil Tiwary, Son of Sri Ram Sagar Tiwary, Resident of Village: Chhotaki Chenari, P.S. Baddi, District: Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pushpa Devi, Wife of Anil Tiwary, Daughter of Sri Bikram Tiwari presently residing at Village: Patahi, P.O. Nad, P.S. Baddi, District: Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh
For the Opposite Party/s : Mr. Asha Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-12-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offence punishable under Section 323 and 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.

On instructions, it is submitted that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and

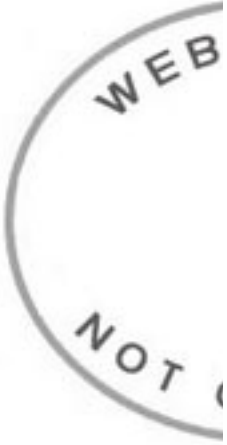
honour. Statement to the aforesaid effect has been made in paragraph no. 10 of the petition the relevant portion of which reads as follows:

“the petitioner is always ready to keep her with full dignity.”

Considering the present stand of the petitioner, 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 JM Sasaram in connection with Shivsagar (Baddi) P.S. Case No. 63 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant and on her appearance the petitioner will take the informant 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 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)

Anil/-

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