

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13099 of 2015

Arising Out of PS.Case No. -251 Year- 2014 Thana -MAHILA P.S. District- BHOJPUR

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1. Ajit Kumar Rai @ Manish Ojha Son of Rameshwar Rai resident of Village- Deochanda, Police Station- Piro, District- Bhojpur, at present resident of Mohalla- Jagdeo Nagar, Police Station- Ara Nawada, District- Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nagendra Pd. Yadav

For the Opposite Party/s : Mr. Rina Sinha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 07-09-2015

The petitioner being husband of the daughter of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 323, 307, 379, 34, 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand.

The petitioner and daughter of the informant are present in Court. The petitioner admits his marriage with the daughter of the informant and is ready to keep the daughter of the informant as wife with dignity and honour. A statement to that effect has been made in para 10 of the petition which reads as follows:-

“That the petitioner is
always ready to keep his wife with full love

affection, dignity and regard.”

It is submitted by learned counsel for the informant that daughter of the informant is ready to accept the offer of the petitioner but she is apprehensive due to the past conduct of the petitioner.

Both sides agree to appear before learned Court below on 1st of October, 2015, when the petitioner will take the daughter of the informant to her matrimonial house to keep her as wife with full dignity and honour.

Considering the aforesaid stand of the parties, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Bhojpur Mahila P.S. Case No. 251 of 2014.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the daughter of the informant fails to appear before learned Court below (iii) If the daughter of the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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