

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5260 of 2015

Arising Out of PS.Case No. -31 Year- 2014 Thana -MAHILA P.S. District- MUZAFFARPUR

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1. Rahul Kumar Singh S/O Anjani Singh Resident of vill-Gokhula
Rupauli,P.S-Paru,Distt.-Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Chanchala Kumari W/O Rahul Kumar Singh At present resident of
Mohalla Anandpuri Bibiganj,P.S-Sadar,Distt.-Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Veena Rani Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-03-2015 Heard learned counsels for the petitioner and the State.

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

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

On instructions, it is submitted that the petitioner is ready to keep the daughter of the informant as wife with full dignity and honour though she is schizophrenic. Statement to the aforesaid effect has been made in paragraph no.6 of the petition.

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 SDJM West, Muzaffarpur in connection with Muzaffarpur Mahila P.S. Case No. 31 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the daughter of the informant and on her appearance the petitioner will take daughter of 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 daughter of informant fails to appear before the learned court below or (iii) if the daughter of the informant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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