

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15694 of 2015

Arising Out of PS.Case No. -63 Year- 2014 Thana -PANDAU District- MADHUBANI

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1. Binit Mahto son of Umesh Narayan Mahto resident of Pandaul Suri Bazar, Machharhatta, P.S. - Pandaul, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nitu Devi w/o Binit Mahto r/o Pandaul, Suri Bazar, Machharhatta, P.S. Pandaul, Distt. - Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Jha, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-05-2015 Heard learned counsel for the petitioner and the State.

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

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

On instruction it is submitted by learned counsel for the petitioner that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para- 9 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 his arrest or 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 the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhubani in connection with Pandual P.S. Case No. 63 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant 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 within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

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