

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9781 of 2015

Arising Out of PS.Case No. -38 Year- 2014 Thana -MAHILA PS District- KATIHAR

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Pawan Tiwari @ Pawan Kumar Tiwari

.... Petitioner

Versus

1. The State of Bihar.
2. Sarita Devi.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Sanjeev Kumar Singh, Advocate.
For the State : Mr. Abhay Kr. Roy(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 11-03-2015 Heard the learned counsels 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 341, 323, 354, 498(A)/34 of the Indian Penal Code and 3/4 of the D. P. Act.

The 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, a statement to that effect has been made in paragraph no. 8 of the petition which reads as follows:-

"That the petitioner attempted several times to get bidagari of his wife but she did not ready to come back in her sasural whereas the petitioner is still ready to keep his wife".

Considering the present stand of the petitioner, let the petitioner, above named, 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 in connection with Katihar Mahila P.S. Case No. 38 of 2014 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Katihar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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.e., (i) if the matrimonial harmony is substantially restored within one year (ii) or the informant fails to appear before the learned court below (iii) or she gets reluctant to reconcile the issue.

U.K./-

(Dinesh Kumar Singh, J)

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