

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9727 of 2015

Arising Out of PS.Case No. -116 Year- 2013 Thana -BENIPATTI District- MADHUBANI

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1. Naresh Mukhiya Son of Kamleshwar Mukhiya Resident of Village -
Uchaith, P.S.- Benipatti, District - Madhubani

.... Petitioner/s

Versus

1. The State of Bihar
2. Ghurani Devi Wife of Naresh Mukhiya Daughter of Jagdish Mukhiya
Resident of Village - Andhari, P.S.- Benipatti, District -Madhubani
3. Jagdish Mukhiya Son of Lotan Mukhiya Resident of Village - Andhari,
P.S.- Benipatti, District - Madhubani

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ratanakar Jha
For the Opposite Party/s : Mr. Amit Kr.Rakesh(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 20-04-2015 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the daughter
informant is apprehending arrest in a case registered for
the offences under Section 498A 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. Statement to the aforesaid effect

has been made in paragraph no. 13 of the petition which reads as follows:

“That the petitioner is ready to keep his wife complainant with full honour and dignity.”

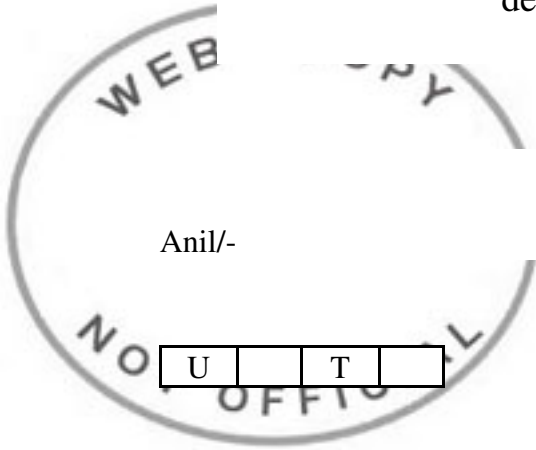
Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for one year in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM Madhubani in connection with Benipatti P.S. Case No. 116 of 2013 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 the 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 the informant fails to appear before the



learned court below or (iii) if the daughter of the informant
deliberately gets reluctant to reconcile the issue.



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(Dinesh Kumar Singh, J)