

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18551 of 2015

Arising Out of PS.Case No. -156 Year- 2014 Thana -BUXAR INDUSTRIAL District- BUXAR

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Amar Pandey S/o Late Chandra Pandey R/o vill- Mahna, P.S.- Dildarnagar,
District- Gajipur (U.P.), (Husband)

.... Petitioner

Versus

1. The State of Bihar
2. Shobha Devi, W/o Sri Amar Pandey, resident of village Mahna, P.S.
Dildar Nagar, District Gajipur, at present resident of village Ahirauli,
P.S. Buxar (I), District Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Shree Kant Pandey(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 15-06-2015 Learned counsel for the petitioner prays for and is allowed

to implead Shobha Devi as O.P.No.2.

Heard learned counsel for the parties.

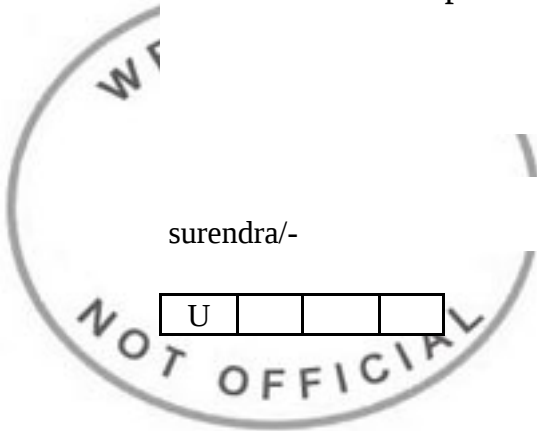
Having regard to the nature of allegation for offence under
section 498A/34 of the Indian Penal Code as also 3/4 of the
Dowry Prohibition Act and the fact that the petitioner is the
husband, who wants to atone his conduct by restoring matrimonial
relationship with his wife, O.P.No.2, this Court on hearing the
learned counsel for the petitioner as also learned counsel for
O.P.No.2 would be inclined to grant privilege of anticipatory bail
to the petitioner, Amar Pandey only if he really means to carry out
the undertaking which has been sought to be given before this
Court of keeping O.P.No.2 with due respect and dignity.



That being so, if the petitioner, Amar Pandey, surrenders on 7th July, 2015 on which day O.P.No.2 shall also remain present in the court, and if the petitioner gives an undertaking to take his wife- O.P.No.2 alongwith him and keep her with due respect and dignity that a wife would deserve at the hands of her husband, the court below shall grant provisional bail to the petitioner for a period of three months on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar in Buxar (I) P.S.Case No. 156/2014, subject to the conditions as laid down under section 438(2) Cr.P.C..

After completion of the period of three months both the petitioner and O.P.No.2 shall again appear before the court below and if the court below is satisfied that O.P.No.2 was not in any way physically or mentally tortured by the petitioner or his family members, such provisional bail shall be again extended this time for a period of six months. Upon further completion of the aforesaid period of six months the petitioner and O.P.No.2 shall once again appear before the court below and if the court below is again satisfied that O.P.No.2 was treated in a decent manner by the petitioner and/or his family members and that there is no further complaint of any ill-behaviour of O.P.No.2 against her

husband to the petitioner and his family members, such
provisional bail of the petitioner shall be confirmed.



(Mihir Kumar Jha, J)