

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9985 of 2015

Arising Out of PS.Case No. -697 Year- 2014 Thana -SAHARSA District- SAHARSA

=====

1. Sanjay Kumar Singh Son of Bharat Prasad Singh Resident of Village-
Kachahari Station, Motihari, P.S. Motihari, District- Motihari(East
Champan)

.... Petitioner/s

Versus

1. The State of Bihar
2. Nupur Kumari@ Nupur Singh daughter of Bharat Singh Resident of
Pratap Nagar, Ward no. 15, Nagar Parishad, P.S. - Saharsa, District-
Saharsa.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. A.A.Khan(App)

=====

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

ORAL ORDER

2 22-04-2015 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 498A, 379,
323 of the Indian Penal Code and 3/4 of the Dowry
Prohibition Act.

The accusation is of torture for non-fulfillment of
the 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- 10 of the

petition.

Similar was the stand of the petitioner before the learned court below, but the informant refused to accept the offer of the petitioner which get reflected from paragraph-6 of the impugned order which reads as follows:-

“During course of hearing on this ABA the informant Nupur Kumari @ Nupur Singh appears along with her mother and her learned counsel and the petitioner Sanjay Kumar Singh also appeared along with his father and learned Advocate then effective steps has been taken to reconcile the dispute between the couple. On the last date also efforts has been made to reconcile the matter between the parties. In course of reconciliation petitioner Sanjay Kumar Singh, who happens to be husband of informant shown willingness to keep his wife-informant with him with honour and dignity at his work place but the informant flatly refused to live with her husband. Accordingly the reconciliation failed.”

Matrimonial Suit No. 1189 of 2014 for restitution of conjugal life has also been filed by the petitioner. Statement to that effect has been made in para-12 of the petition.

Considering the present stand of the petitioner, let the above named petitioner be released on anticipatory bail 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, Saharsa in connection with Saharsa P.S. Case No. 697 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The grant of bail to the petitioner will not preclude the informant to resume the conjugal life. If such an application is filed before the learned court below, then the petitioner will be obliged to take the informant to keep her as wife with full dignity and honour.

(Dinesh Kumar Singh, J)

P.K./-

U		T	
---	--	---	--