

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26689 of 2014

Arising Out of PS.Case No. -37 Year- 2013 Thana -AKBARNAGAR District- BHAGALPUR

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Chitranjan Kumar Singh son of Indra Bhushan Singh resident of Devi Mandap Road, Hesal Near Gas Godown, P.S. Sukhdeo Nagar, District - Ranchi (Jharkhand)

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Surbhi Vats, W/o Chitranjan Kumar Singh and daughter of late Binay Kumar Singh, Resident of village – Kherahia, P.S. Akbar Nagar, District – Bhagalpur (Bihar).

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary

For the Opposite Party/s : Mr. Amrendra Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

07/ 03-03-2015

Heard 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 498A/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

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

In pursuance to the order of this Court the petitioner and opposite party no. 2-informant are present.

The petitioner is ready to keep the informant as

wife with full dignity and honour. The petitioner also undertakes to withdraw the matrimonial suit filed with prayer of divorce. It is submitted that at present petitioner is unemployed, but he always ready to keep the informant with him wherever he resided.

Though the informant is apprehensive due to the past conduct of the petitioner but is ready to accept the offer of the petitioner.

Both sides agree that the petitioner will take the informant from her house on 4th of March, 2015.

Considering the present stand of the parties, 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, Bhagalpur in connection with Akbarnagar P.S. Case No. 37 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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.

The present order will not preclude the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J)

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