

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21205 of 2015

Arising Out of PS.Case No. -67 Year- 2015 Thana -SAKRA District- MUZAFFARPUR

Rajeev Kumar Rai

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Adv.

For the Opposite Party/s : Mr. Anuj Kumar Srivastava (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-05-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A, 341, 504/34 and 323 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfilment of the dowry demand and making attempt to kill the informant by pouring kerosene oil.

It is submitted by learned counsel for the petitioner that admittedly corresponding to the accusation levelled, no injury was caused to the informant and the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect is made in para 10 of the petition, relevant part of the same

reads as follows:-

“That he is still ready to keep the informant 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Sakra (Bariyarpur) Case No. 67 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant for her appearance. 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 learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the informant fails to appear before the learned court below or (iii) if the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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