

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17578 of 2015

Arising Out of PS.Case No. -555 Year- 2014 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Dhananjay Kumar Sharma son of Suresh Sharma

.... Petitioner/s

Versus

1. The State of Bihar.
2. Usha Singh wife of Dhananjay Kumar Sharma

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate
For the Opposite Party/s : Mr. Pronati Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 18-05-2015 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 307, 328, 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

It is alleged that the informant was offered milk mixed with poison but she did not accept the same. It is further alleged that she was also subjected to torture for non-fulfillment of the dowry demand.

On instruction, learned counsel for the petitioner submits that the petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 13 of the petition which reads as follows:-

"13.the petitioner is ready to keep the wife ..."

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, East Champaran, Motihari in connection with Motihari Town P.S. Case No. 555 of 2014, 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)

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