

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26019 of 2015

Arising Out of PS.Case No. -34 Year- 2014 Thana -RAIYAM District- DARBHANGA

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1. Gaurishanker Yadav @ Gauri Shankar Yadav Son of Raj Deo Yadav,
resident of Village- Khangrath, P.S.- Patouna, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kanchan Devi D/o. Rajendra Yadav, resident of Village- Rajouradih, P.S.
Raiyam, District- Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Gajendra Pd. Yadav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-07-2015 Heard learned counsels for the petitioner and the

State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences under Sections 498A and 323/34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

On instructions, it is submitted that the petitioner is ready to keep the informant as wife with full dignity and honour though the impugned order reflects that in the court

below the petitioner refused to keep the informant. Statement to the aforesaid effect has been made in paragraph no. 11 of the petition which reads as follows:

“That petitioner is husband of the informant and he is ready to keep the opposite party no. 2 with all respect.”

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM Ist Class, Darbhanga in connection with Raiyam P.S. Case No. 34 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 and 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 the learned court below in three eventualities – (i)



if the matrimonial harmony is substantially restored or (ii)
if the informant fails to appear before the learned court
below or (iii) if the informant deliberately gets reluctant to
reconcile the issue.

(Dinesh Kumar Singh, J)

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