

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26319 of 2015

Arising Out of PS.Case No. -35 Year- 2014 Thana -MAHILA P.S. District- VAISHALI(HAJIPUR)

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1. Pramod Kumar Son of Chunni Lal Paswan, Resident of Village-Satkurwa, P.O. Naua Chak, P.S.- Patepur, District- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Sinha

For the Opposite Party/s : Mr. Bhanu Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-07-2015 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/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.

It is submitted that the petitioner that the petitioner earlier filed Matrimonial Case No. 254 of 2014 for restitution of conjugal rights and thereafter the present case has been lodged. On instruction, it is submitted that still is ready to keep the informant as wife with full dignity

and honour. Statement to the aforesaid effect has been made in paragraph no. 12 of the petition, the relevant part of which reads as follows:

“That it is submitted here that petitioner is ready to lead conjugal life

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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Vaishali at Hajipur in connection with Hajipur Mahila (Vaishali) P.S. Case No. 35 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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