

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30240 of 2015

Arising Out of PS.Case No. -20 Year- 2015 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)

Dhanji Singh, son of late Ganesh Singh

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogendra Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kr. Sharma (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 30-07-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a registered for the offences punishable under Sections 341, 323, 498A, 506 and of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that the informant appeared before the learned court below and she admitted that she resides in the house of petitioner but she did not want to reside any further with the petitioner as the petitioner has illicit relationship with other lady, which reflects from the impugned order. Learned counsel for the petitioner further submits that petitioner has no illicit relationship with anyone and he is ready to

keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 8 of the petition which reads as follows:-

"8. ...he is always ready to keep the informant with full dignity and honour."

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 Sub-Divisional Judicial Magistrate, Bhabua (Kaimur) in connection with Mahila P.S. Case No.20 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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)

Ashwini/-

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