

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29823 of 2015

Arising Out of PS.Case No. -19 Year- 2014 Thana -FULKAHA District- ARRARIA

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1. Awadhesh Kumar Goswami @ Pankaj Kumar Goswami Son of Bijendra
Goswami Resident of village - Sonapur, P.S. O.P. Bathnaha, Distt. - Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Mandal

For the Opposite Party/s : Mr. Prem Kumar Jha(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 14-07-2015 Learned counsel for the petitioner is permitted to

make necessary correction in the petition, as prayed for.

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 147,323,379,420 and 498A 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. Statement to the aforesaid effect has been made in paragraph no. 14 of the petition, the relevant portion of which reads as follows:

“That petitioner is still ready to keep her informant wife with full dignity and honour

It is further submitted that the petitioner earlier filed Matrimonial Case No.112 of 2013 for restitution of conjugal rights which was allowed ex-parte.

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 JM Ist Class, Araria in connection with Fulkaha P.S. Case No. 19 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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