

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28326 of 2015

Arising Out of PS.Case No. -102 Year- 2013 Thana -LAUKHI District- MADHUBANI

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1. Leela Kant Bharti son of Ram Chandra Mandal resident of Village - Nemua, Panchayat - Dhanchhiha, Police Station - Andhramath, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kiran Kumari Devi W/o Leela Kant Bharti, D/o Sri Bhola Mandal resident of Village - Kariyaut, P.S. - Laukahi, District - Madhubani.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar
For the Opposite Party/s : Mr. Arun Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-07-2015 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 Section 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.

The petitioner admits his marriage with the informant. 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. 11 of the petition the relevant portion of which reads as follows:

“That the petitioner is always ready to keep the informant with full dignity, love and care.....”

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 SDJM Jhanjharpur in connection with Laukahi P.S. Case No. 102 of 2013 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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