

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32164 of 2015

Arising Out of PS.Case No. -117 Year- 2015 Thana -FORBESGANJ District- ARRARIA

=====

1. Prakash Singh @ Prakash Kumar Singh, S/o Sudhir Singh, R/o - Village
- Gangjala, P.S. - Saharsa, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Anuradha Kumari @ Moni W/o Prakash Kumar Singh, D/o Rana
Pratap Singh, R/o - Mohalla - Bangali Tola, P.S. - Forbisganj, District -
Araria.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bidhan Chandra Jha
For the Opposite Party/s : Mr. Kalyan Shankar (App)

=====

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

03/ 24-08-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Section 498A, 379/34 of the Indian
Penal Code and 3/4 of Dowry Prohibition Act.

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

On submission of learned counsel for the
petitioner that the petitioner is ready to keep the informant as wife
with full dignity and honour, statement to that effect has been



made in para 7 of the petition, which reads as follows:- **“That the petitioner is a member of well established family and he has never any demand of dowry and the petitioner is always ready to keep the informant as wife with full dignity and honour in his house,”** the notices were issued to the informant. The petitioner and the informant are present in the Court. The marriage between the petitioner and the informant on 06.05.2099 having no issue is admitted.

Learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner.

It appears from the record that the petitioner has also filed Matrimonial Suit No. 125 of 2014 for restitution of conjugal rites.

Both sides agree to appear before the learned court below on 28th of August, 2015 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for one year in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief

Judicial Magistrate, Araria in connection with Forbesganj P.S.
Case No. 117 of 2015, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

(Dinesh Kumar Singh, J)

DKS/-

U		T	
---	--	---	--