

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29925 of 2015

Arising Out of PS.Case No. -65 Year- 2015 Thana -MAHILA P.S. District- BHOJPUR

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Tej Pratap Singh @ Guddu Singh S/o Parmanand Singh, Resident of
Village - Udwantnagar, P.S. - Udwantnagar, District -Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Madhu Devi, D/o Rajendra Singh, Resident of Vill. - Nathmalpur, P.S. -
Barhara, District - Bhojpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary (App)

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

03/ 30-11-2015

The matter was listed under the heading for
'Orders' but since the informant has already entered appearance
the matter was taken up.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Section 341, 323, 379, 498A 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.

The petitioner and the informant are present in
the Court.

It is submitted by learned counsel for the

petitioner that after death of his first wife petitioner performed marriage with the informant, but the informant is tortured the two children born out of his first wife whereas the same is being denied by the counsel for the informant.

Both sides agree to reside together.

Counsel for the petitioner submits that the petitioner is still ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 10 of the petition, which reads as follows:-

“That the petitioner is still ready to keep her with condition that she will look after his children who are aged about 4 years and 6 years old.”

Counsel for the informant submits that the informant is ready to take care off the two minor children.

Both sides agree to appear before the learned court below on 10th December, 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 Sub-

divisional Judicial Magistrate, Bhojpur at Ara in connection with Bhojpur Mahila P.S. Case No. 65 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)

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