

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6164 of 2015

Arising Out of PS.Case No. -242 Year- 2014 Thana -BAHERI District- DARBHANGA

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Pintu Kumar Rai S/o Madan Rai resident of Village - Madhuban, P.S. -
Khanpur, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kavita Devi, daughter of Ramdev Yadav, Resident of village – Bani
dauhali, P.S. Baheri, District – Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amitabh Bhardwaj

For the Opposite Party/s : Mr. Shakir Ahmad(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

04/ 06-07-2015

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 Sections 341, 323, 504, 376, 498A and
379/34 of the Indian Penal Code.

The accusation against the petitioner is of torture
for non-fulfillment of the dowry demand. Though, it is alleged
against the brother of the petitioner that he established forceful

physical relationship with the informant.

The petitioner and the informant are present. The marriage between the petitioner and the informant and birth of a female child are admitted facts.

The petitioner is ready to keep the informant as wife with dignity and honour. The informant accepts the offer of the petitioner.

Both sides agree to appear before the learned court below on 27th of July, 2015 when the petitioner will take the informant along with the child to keep them 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, Darbhanga in connection with Baheri P.S. Case No. 242 of 2014, 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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