

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35216 of 2015**

Arising Out of PS.Case No. -390 Year- 2015 Thana -BETTIAH TOWN District-  
WESTCHAMPARAN(BETTIAH)

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Jai Prakash Patwa @ Jai Prakash Prasad Patwa

.... .... Petitioner/s

Versus

State of Bihar & Anr

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Smt. Asha Kumari(App)

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

2 18-08-2015

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 punishable under Sections 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and is still ready to keep the informant as wife with full dignity and honour and similar was stand of the petitioner before the learned court below but the informant was not ready to accept the offer of the petitioner. A statement to that effect has been made in para 12 of the petition which reads as follows:-

*“That the petitioner is always ready to keep the*

*informant and to maintain her if she is ready to live with him and similar was his stand even before the learned Sessions Judge but she refused to live with the petitioner.”*

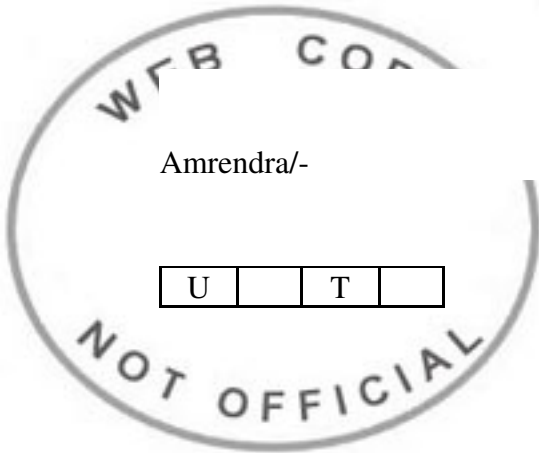
Learned counsel for the informant, on instruction, submits that the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 28<sup>th</sup> of August, 2015 when the petitioner will take the informant 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 arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah (Town) P.S. Case No. 390 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the informant fails to appear before the learned court below or (iii) if the informant gets

reluctant to reconcile the issue.



Amrendra/-

**(Dinesh Kumar Singh, J)**