

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37711 of 2015

Arising Out of PS.Case No. -66 Year- 2015 Thana -LALIT NARAYAN UNIVERSITY District-
DARBHANGA

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Mahesh Kumar Son of Sri Mahadeo Mahto Resident of Mohalla - House
No. 12, F Road, Ramdeo Bagan, Golmundi, P.S. Golmundi, District - East
Singbhum

.... Petitioner/s

Versus

1. The State of Bihar
2. Kumari Bandana D/o Dr. Laxmi Prasad, Resident of Mohalla –
Ruhellaganj Kadirabad, P.S. LNMU, District – Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary
For the Opposite Party/s : Mr. U.L.Verma(App)

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

03/ 06-10-2015

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 341, 342, 323, 498A, 504,
506/34 of the Indian Penal Cod and 3/4 of Dowry Prohibition Act.

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

Counsel for the petitioner submits that the
petitioner admits his marriage with the informant and is ready to
keep the informant as wife with full dignity and honour. Statement

to that effect has been made in paragraph 12 of the petition, which reads as follows:-

“That it is stated that the petitioner is always ready to keep the informant along with him with full dignity and honour provided she agrees to live with the petitioner with all dignity.”

Counsel for the informant submits that the informant is ready to accept the offer of the petitioner but she is apprehensive due to the past conduct of the petitioner as earlier also the petitioner gave similar undertaking but failed to comply the same.

The petitioner and the informant are present.

The petitioner is ready to take the informant from the Court itself today to keep her as wife with full dignity and honour. The offer is acceptable to the informant.

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 L.N.M.U. P.S. Case No. 66 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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