

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40539 of 2015**

Arising Out of PS.Case No. -74 Year- 2014 Thana -MAHILA P.S. District- MADHUBANI

1. Santosh Prasad Son of Ayodhya Prasad, Resident of Village - Simra,  
P.S. - Jhanjharpur, District -Madhubani.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

**Appearance :**

For the Petitioner/s : Mr. Shivendra Lal Das

For the Opposite Party/s : Mr. Narendra Kumar Singh (App)

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

2 31-08-2015

Petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 323, 341, 498A, 504, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

On instructions, it is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and has filed Matrimonial Suit No. 332 of 2014 for restitution of conjugal life. Moreover the petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 2 of the supplementary affidavit which reads as follows:-

“That the petitioner is ready to  
keep his wife the informant Bachchi Devi with full care

and dignity”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Jhanjharpur in connection with Madhubani Mahila P.S. Case No. 74 of 2014.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

**(Dinesh Kumar Singh, J)**

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