

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39062 of 2015

Arising Out of PS.Case No. -43 Year- 2015 Thana -BARURAJ District- MUZAFFARPUR

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1. Ravindra Tiwary S/o Ram Ayodhya Tiwary Resident of Village Madhopur Madhu, P.S. Baruraj, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Ruby Kumari W/o Ravindra Tiwary and D/o Ramudar Mishra Resident of Village Madhopur Madhu, P.S. Baruraj, District Muzaffarpur presently residing at Village Nawada, P.O. Khemkarna, P.S. Sahebganj, District Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh
For the Opposite Party/s : Mr. Md. Ataur Rahman (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-08-2015 Petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 323, 324, 341, 498A, 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 and making assault.

On instructions, it is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and subsequently birth of two female children. Moreover the petitioner is ready to keep the informant as wife with dignity and honour. A statement to that effect has been made in para 13 of the petition which reads as follows:-

“That, it is stated that the

petitioner is ready to keep the informant with full dignity and surety, if the informant is ready to live with the petitioner.”

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 Sub-Divisional Judicial Magistrate, West, Muzaffarpur in connection with Baruraj P.S. Case No. 43 of 2015.

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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