

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39992 of 2015

Arising Out of PS.Case No. -383 Year- 2014 Thana -RAHUI District- NALANDA
(BIHARSHARIFF)

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Pawan Prasad S/o Late Ramadhin Prasad R/o Village -Rahui P.S. Rahui,
District Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priti Kumari wife of Pawan Prasad, daughter of Suresh Prasad resident
of Mohalla- sohdi, P.S. Sohsarai, District Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Chandra

For the Opposite Party/s : Mr. Ram Chandra Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 27-08-2015

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

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

It is submitted by learned counsel for the



petitioner that the petitioner admits his marriage with the informant and has filed Matrimonial Suit No. 343 of 2014 for restitution of conjugal rites. Moreover, the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 9 of the petition, which reads as follows:- **“That the petitioner is ready to keep his wife with full dignity.”**

Considering the present stand of the petitioner, 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 Judicial Magistrate, Ist Class, Nalanda at Biharsharif in connection with Rahui P.S. Case No. 383 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant on her appearance the petitioner will take the informant to keep her as wife with full dignity and honour.

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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