

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50430 of 2014

Arising Out of PS.Case No. -216 Year- 2014 Thana -BIRaul District- DARBHANGA

Ushakar Chaudhary son of Shri Rati Kant Chaudhary Resident of village-
Pokhram, P.S.- Biraul, Distt- Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nikhil Kumar Agrawal

For the Opposite Party/s : Mr. A.K.Chaudhary(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

04/ 02-07-2015

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 Sections 498A, 341, 323, 506/34 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.

The petitioner and opposite party no. 2-informant are present. The marriage between the petitioner and the informant having no issue is admitted fact.

It is submitted by learned counsel for the petitioner that this is the 3rd round of accusation levelled by the

informant but still petitioner is ready to keep the informant as wife with full dignity and honour, though, statement to that has not been made in the petition.

It is submitted by learned counsel for the petitioner that the informant is ready to accept the offer of the petitioner but earlier two occasions also the petitioner gave similar undertaking but failed to comply the same.

Both sides agree to appear before the learned court below on 21st of July, 2015 when the petitioner will take the informant to keep her as wife with full dignity and honour.

It is submitted by learned counsel for the petitioner that the informant is staying in the house of the petitioner whereas petitioner is staying in the rented house. Both sides agree to reside together in the house of the petitioner.

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 Sub-divisional Judicial Magistrate, Darbhanga in connection with Biraul P.S. Case No. 216 of 2014, 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)

DKS/-

U		T	
---	--	---	--