

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52089 of 2014

Arising Out of PS.Case No. -106 Year- 2013 Thana -PHULWARIA District- GOPALGANJ

Arjun Yadav

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Rai

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 06-01-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A and 406 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

On instruction, learned counsel for the petitioner submits that the petitioner is ready to keep the informant as wife with full dignity and honour. A statement has been made to that effect in para 6 of the petition which reads as follows:-

“That the petitioner is the husband of the informant and he is still ready to live with the informant with full dignity and honour but she is not ready to live with the petitioner, it is also apparent from the impugned order itself. She is adamant to send the petitioner behind the bar anyhow.”

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 arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Fulwaria P.S. Case No. 106 of 2013, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the informant fails to appear before the learned court below or (iii) if the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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