

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2021 of 2015

Arising Out of PS.Case No. -114 Year- 2014 Thana -ASHTHWAN District- NALANDA
(BIHARSHARIFF)

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Karu Prasad S/o Late Anandi Prasad Resident of Village - Benar, P.S. -
Sare, District - Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1

For the Opposite Party/s : Mr. U.S.P.Singh(App)

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

ORAL ORDER

2 21-01-2015

Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the informant apprehending his arrest in a case registered for the offences punishable under Sections 498(A), 323, 504 and 506/34 of the Indian Penal Code.

The accusation is of torture for non fulfillment of demand of dowry.

On instructions, it is submitted that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement the that effect has been made in para 7 of the petition.

It is further submitted by the learned counsel for the petitioner that the petitioner has filed a Matrimonial Case No. 151/2012 for restitution of conjugal life. The petitioner has not married with Muni Devi, as alleged by the

informant.

Considering the aforesaid facts, let the above named petitioner be released on provisional anticipatory bail for one year in the event or arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda, in Asthawan P.S.Case No. 114/2014, subject to the conditions as laid down u/s 438(2) Cr.P.C.

Let the learned court below issue notice to the informant and 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 by the learned court below in three eventualities- (i) if the matrimonial harmony is substantially restored or (ii) if the informant fails to appear before the learned court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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