

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47736 of 2015

Arising Out of PS.Case No. -37 Year- 2012 Thana -ROHTAS District- SASARAM (ROHTAS)

1. Anjit Choudhary
2. Suresh Choudhary

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avanish Kumar Singh

For the Opposite Party/s : Mr. Md.Sufiyan (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-10-2015 Heard learned counsels for the petitioners and the State.

The petitioner no.1 being the husband of the informant and petitioner no.2 being the father of petitioner no.1 are apprehending arrest in a case registered for the offences punishable under Sections 498A 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.

Learned counsel for the petitioners submits that the petitioner no.1 admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 9 of the petition which reads as follows:-

“That ...the petitioner no.1 is willing to keep his wife, the informant with due love, care and

respect..”

Considering the present stand of the petitioner no.1, let the above named petitioner no.1 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 SDJM, Dehri-on-Sone, Rohtas in connection with Rohtas P.S. Case No. 37 of 2012, 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. On her appearance, the petitioner no.1 will take the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner no.1 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 gets reluctant to reconcile the issue.

Considering the present stand of the petitioner no.1, let the above named petitioner no.2 be released on anticipatory bail 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 SDJM, Dehri-on-Sone, Rohtas in connection with Rohtas P.S. Case No. 37 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Amrendra/-

(Dinesh Kumar Singh, J)

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