

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33720 of 2014

Arising Out of PS.Case No. -198 Year- 2014 Thana -DUMRAUN District- BUXAR

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Krishna Kumar @ Krishna Kumar Sah son of Late Jagdish Sah resident of village - Nawadih, Police Station - Shahpur, District - Bhojpur (Ara) at present residing at North Side of Dumraon Railway Station, Police Station - Dumraon, District - Buxar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rambha Devi, Wife of Krishna Kuamr and Daughter of Dasharath Sah, Resident of village – Nawadih, P.S. – Shahpur, District – Bhojpur, Present address – North of Dumraon Railway Station, P.S. – Dumraon, District – Buxar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rang Nath Choubey

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

05/ 30-06-2015

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 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.

On joint prayer of the parties the matter was referred to the Mediation Centre of State Legal Services Authority. The report of the Mediator at Flag ‘B’ suggests that the dispute

could not be resolved through process of mediation.

It is submitted on behalf of the petitioner that the petitioner is ready to keep the informant as wife with dignity and honour.

Learned counsel for the informant submits that the offer of the petitioner is acceptable to the informant.

The marriage between the petitioner and the informant having no issue is admitted fact.

Both sides agree to appear before the learned court below on 20th of July, 2015 when the petitioner will take the informant to keep her as wife with full dignity and honour.

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 Chief Judicial Magistrate, Buxar in connection with Dumraon P.S. Case No. 198 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)

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