

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47390 of 2015

Arising Out of PS.Case No. -85 Year- 2015 Thana -CHAUTHAM District- KHAGARIA

Lat Saheb Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amitabh Sohan

For the Opposite Party/s : Mr. Umeshanand Pandit(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-10-2015

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 341, 323, 342, 498A and 354/34 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 and making assault by the petitioner and other family members of the petitioner.

It is submitted by learned counsel for the petitioner that the accusation has been levelled within few months of the marriage and there is nothing on record to suggest that the informant was actually assaulted. The petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour and similar was the stand of the

petitioner before learned court below. A statement to that effect has been made in para 12 of the petition which reads as follows:-

“That the petitioner in course of hearing of his anticipatory bail application undertook before the Sessions Judge, Khagaria that he was ready to keep the informant with respect and dignity...”

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 JM, 1st Class, Khagaria in connection with Chautham P.S. Case No. 85 of 2015, 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 will take the informant 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 gets

reluctant to reconcile the issue.

Amrendra/-

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(Dinesh Kumar Singh, J)

