

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53275 of 2015

Arising Out of PS.Case No. -139 Year- 2015 Thana -MANJHI District- SARAN

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Sonu Kumar, son of Shri Asharfi Mahto, resident of Village-Chakiya, P.O.-
Dumari, P.S.-Manjhi, District-Saran, Chapra

.... Petitioner/s

Versus

1. The State of Bihar
2. Shri Bhagwan Mahto, son of Late Tilak Mahto, resident of Village-
Biram Parsa, P.O.-Sirisiya, P.S.-Revelganj, District-Saran, Chapra

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai

For the Opposite Party/s : Mr. Bhanu Pratap Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-11-2015 Petitioner being husband of the daughter of
the informant is apprehending his arrest in a case registered
for the offences punishable under Sections 323, 498A, 504 of
the Indian Penal Code and Section 34 of the Dowry Prohibition
Act.

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

On instructions, it is submitted by learned
counsel for the petitioner that petitioner has filed Matrimonial
Suit No. 100 of 2015 for restitution of conjugal right and
petitioner is still ready to keep the daughter of the informant as
wife with full dignity and honour. A statement to that effect has
been made in para 10 of the petition which reads as follows:-

“That, the petitioner is
ready to keep his wife, namely Lakhi

Kumari(daughter of the opposite party no. 2) with
full dignity and respect as per his capacity”

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Chapra, Saran in connection with Manjhi P.S. Case No. 139 of 2015.

Let learned Court below issue notice to the daughter of the informant and fix a date for her appearance. On appearance, the petitioner will take the daughter of the informant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the daughter of the informant fails to appear before learned Court below (iii) If the daughter of the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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