

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55803 of 2015

Arising Out of PS.Case No. -144 Year- 2015 Thana -PATORI District- SAMASTIPUR

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1. Dilip Rai, Son of Shankar Rai, resident of Village- Ramchandrapur, Dashara, P.S.- Patory, Dist- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Geeta Devi Wife of Dilip Rai resident of Village- Ramchandrapur, Dashara, P.S.- Patory, Dist- Samastipur. At present address Geeta Devi, D/o Gajadhar Rai, resident of Village- Khatjamma (Naihari) Ward No.3, Post- Mahnar, District- Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar
For the Opposite Party/s : Mr. Ram Naresh Roy (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-12-2015 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 offence punishable under Sections 143,341,342,323,498A and 504 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

On instructions, it is submitted that the petitione admits his marriage with the informant and is ready to keep

the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 13 of the petition which reads as follows:

“ That the petitioner is the husband of the informant and is ready to keep and maintain the informant with all social prestige and dignity but on the contrary the informant herself is not willing to live with the petitioner and has deserted him.”

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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Samastipur in connection with Patory P.S. Case No. 144 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 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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