

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56297 of 2015

Arising Out of PS.Case No. -73 Year- 2015 Thana -MAHILA PS District-
EASTCHAMPARAN(MOTIHARI)

=====

Dinesh Ram

.... Petitioner/s

Versus

1. State of Bihar,
2. Reema Devi

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Upendra Kumar(App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-12-2015 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 Section 341,323 and 498A/34 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 petitioner 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. 12 of the petition which reads as follows:

“That, be that as it may, the petitioner has no grievance against his wife, and he, however, undertakes before the Hon’ble Court to keep his wife with full dignity and honour, respect and comfort, safety and security. ”

The petitioner has filed matrimonial case for restitution of conjugal rights.

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, Motihari in connection with Mahila P.S. Case No. 73 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)

Anil/-

U		T	
---	--	---	--