

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47932 of 2015

Arising Out of PS.Case No. -36 Year- 2015 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

Dhiraj Srivastava, son of Rabindra Prasad Srivastava

.... Petitioner/s

Versus

1. State of Bihar
 2. Anju Devi, wife of Dhiraj Kumar Srivastava, D/o Haridawar Lal
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Amrendra Prasad(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 09-10-2015 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 498A/341/323/506/504/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

The marriage between the petitioner and the informant is admitted.

On instruction, learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and he is ready to keep the informant as wife with full

dignity and honour. A statement to that effect has been made in para 7 of the petition which reads as follows:-

"7. That the petitioner never demanded rupees from his wife and never subjected to torture to his beloved wife and he always ready to keep his wife with full dignity and respect in his respective home..."

Learned counsel for the informant submits that the informant accepts the offer of the petitioner.

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 CJM, Rohtas at Sasaram in connection with Mahila P.S. Case No.36 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Both sides shall appear before the learned court below on 29th October 2015 when 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.

Ashwini/-

(Dinesh Kumar Singh, J)

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