

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.53676 of 2015

Arising Out of PS.Case No. -34 Year- 2015 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

Darpan Kumar son of Dilip Kumar resident of Mohalla : Jakki Bigha,
Chhoti Line, Qr. No. 8, P.O. : Dalmianagar, P.S. : Dehri Nagar, District :
Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rekha Devi wife of Darpan Kumar, daughter of Indramani Ram resident
of Mohalla : Barah Patthar, P.S. : Dehri Nagar, District : Rohtas.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party/s : Mr. Sharda Kumari(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 26-11-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Sections 498A, 323, 341, 406/34 of the
Indian Penal Code and 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non-

fulfillment of the dowry demand.

It is submitted by learned counsel for the petitioner 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 that effect has been made in paragraph 7 of the petition, which reads as follows:-

“That the petitioner further undertakes to keep the victim lady along with her daughter with all love, respect and human 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 his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Mahila P.S. Case No. 34 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant 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 within one year by the learned court below in three

eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.



(Dinesh Kumar Singh, J)

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