

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46830 of 2014

Arising Out of PS.Case No. -137 Year- 2014 Thana -MAHILA P.S. District- BHOJPUR

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1. Sonu Sharma S/o Nageshwar Sharma Resident of village - Bheria, P.S. Sahpur, Distt. - Bhojpur

.... Petitioner

Versus

1. The State of Bihar
2. Usha Sharma w/o Sonu Sharma, D/o Sheoji Sharma resident of vill. - Kotwali, P.S. Jagdishpur, District - Bhojpur

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Rajani Ranjan Pd. Singh

For the Opposite Parties : Mr. Rajesh Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-04-2015

Petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 323, 406, 498A, 506/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that the informant has married with the petitioner after her husband died in road accident in 2008. It is further submitted that petitioner is ready to keep the informant as wife with full dignity and honour, though statement to that effect has not been made in the petition.

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 Chief Judicial Magistrate, Bhojpur at Ara in connection with Mahila P.S. Case No. 137 of 2014.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take 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 informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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