

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21397 of 2015

Arising Out of PS.Case No. -156 Year- 2014 Thana -KHAIRA District- JAMUI

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1. Niwas Kumar Das Son of Shankar Ravidas @ Ganesh Das resident of
village - Bara Bandh, P.S. Khaira, District - Jamui

.... Petitioner

Versus

1. The State of Bihar

2. Mamta Kumari Wife of Niwas Kumar Das, D/o Suresh Ravidas
resident of village - Gopalpur, P.S. Khaira, District - Jamui

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sada Nand Ray

For the Opposite Parties : Mr. Rajendra Prasad Nat (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-06-2015

Petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 323, 406, 498A, 504, 120B of the Indian Penal Code.

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

On instructions, it is submitted by learned counsel for the petitioner that petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 9 of the petition which reads as follows:-

“.....and is ready to
keep her with all love and affection.....”

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 Sub-Divisional Judicial Magistrate, Jamui in connection with Khaira P.S. Case No. 156 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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