

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26364 of 2015

Arising Out of PS.Case No. -282 Year- 2014 Thana -MAHILA P.S. District- BHOJPUR

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Anoj Ram, son of Ayodhya Ram

.... Petitioner/s

Versus

1. The State of Bihar

2. Guriya Devi wife of Sri Anoj Ram , daughter of Hari Kishun Ram

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Singh, Advocate

For the Opposite Party/s : Mr. Dr.Kumar Uday Pratap(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-07-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in case registered for the offences punishable under Sections 498A and 379/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

On instruction, learned counsel for the petitioner submits that the petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 8 of the petition which reads as follows:-

"8. That the petitioner is husband of the informant/ opposite party no.2 and he is ready to keep his wife with due dignity and responsibility...."

A statement has been made at paragraph 11 of the petition that the petitioner filed Matrimonial Case No. 73 of 2015 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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Ara in connection with Bhojpur (Mahila) P.S. Case No.282 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant for her appearance. 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 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.

(Dinesh Kumar Singh, J)

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