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IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35068 of 2015

Arising Out of PS.Case No. -41 Year- 2015 Thana -BEUR District- PATNA

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1. Amit Ranjan @ Amit Ranjan Sinha
2. Sumit Ranjan Both sons of Sri Manoranjan Kumar Verma, Resident of Mahabir Nagar, Sai Chak, P.O. - Beur, Via Anishabad, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.35740 of 2015

Arising Out of PS.Case No. -289 Year- 2014 Thana -BEUR District- PATNA

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1. Amit Ranjan @ Amit Ranjan Sinha son of Sri Manoranjan Kumar Verma, resident of Mahabir Nagar, Sai Chak, P.O.- Beur, Via Anisabad, P.S.- Beur, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :
(In Cr.Misc. No.35068 of 2015)
For the Petitioner/s : Mr. Praveen Kumar
For the Opposite Party/s : Mr. Dr.Ajit Kumar (App)
(In Cr.Misc. No.35740 of 2015)
For the Petitioner/s : Mr. Praveen Kumar
For the Opposite Party/s : Mr. D.P.Tiwary(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-08-2015 Heard learned counsels for the petitioners and the State.

In Cr. Misc. No. 35068 of 2015, petitioner no.1 being the husband of the informant and petitioner no.2 being the brother of petitioner no.1 are apprehending arrest in a case registered for the offences punishable under Sections 498A, 323 and 354/34 of

the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture.

It is alleged against petitioner no.2 that he made an attempt to outrage the modesty of the informant.

In Cr. Misc. No.35740 of 2015, petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 498A, 323 and 504/34 of the IPC.

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

It is submitted by learned counsel for the petitioner that initially Beur P.S. Case No. 289 of 2014 was lodged on 17.12.2014 levelling accusation under Sections 498A, 323 and 504/34 of the IPC and Section 3/4 of the Dowry Prohibition Act. In the said case, in pursuance to the reconciliation, the informant went to her matrimonial house and thereafter she of her own deserted the petitioner and lodged Beur P.S. Case No. 41 of 2015 on 27.02.2015 levelling accusation under Sections 498A, 354 and 323/34 of the IPC. The accusation under Section 354 IPC against the brother of the husband of the informant was not levelled in the earlier case, hence in the subsequent case the improvement was

made. Petitioner Amit Ranjan @ Amit Ranjan Sinha is still ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para 31 of both the petitions which reads as follows:-

> "*That the petitioner is still wiling to keep her wife with dignity and pride.*"

Learned counsel for the informant, on instruction, submits that the informant is ready to accept the offer of the petitioner Amit Ranjan.

It is jointly submitted that petitioner Amit Ranjan and the informant shall appear before the learned court below on 28th of August, 2015 when the petitioner Amit Ranjan will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the petitioner Amit Ranjan and the informant, let the above named petitioner Amit Ranjan 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 SDJM/CJM, Patna in connection with Beur P.S. Case No. 41 of 2015 and 289 of 2014, subject to the conditions as laid down under Section 438(2)

Cr.P.C.

The provisional bail of the petitioner Amit Ranjan 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.

Considering the present stand of the petitioner Amit Ranjan and the informant, let the above named petitioner Sumit Ranjan be released on anticipatory bail 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, Patna in connection with Beur P.S. Case No. 41 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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