

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32848 of 2015

Arising Out of PS.Case No. -261 Year- 2014 Thana -SAHPUR District- BHOJPUR

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Prem Shankar Ojha

.... Petitioner/s

Versus

1. State of Bihar,
2. Priti Devi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha

For the Opposite Party/s : Mr. T.P.Mandal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 21-07-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences under Sections 498A,323,504 and 506/34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

The petitioner admits his marriage with the informant. On instructions, it is submitted that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 6 of the petition which reads as follows:

“That the petitioner is quite ready to keep his wife (informant) with full respect and dignity he is ready to

compromise the matter.”

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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Bhojpur, Ara in connection with Shahpur P.S. Case No. 261 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 and 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 the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the informant fails to appear before the learned court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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