

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38452 of 2015

Arising Out of PS.Case No. -111 Year- 2015 Thana -NAWADA MUFFASIL District- NAWADA

Tapan Singh

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Nayan

For the Opposite Party/s : Mr. Pranav Kumar (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-08-2015

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 punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfilment of the dowry demand. The factum of marriage between the petitioner and the informant is admitted.

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 7 of the petition which reads as follows:-

“That, in fact, no occurrence as alleged has ever taken place rather the petitioner who is being husband of informant and always ready to keep the informant so that they would be able to lead their conjugal life and they would have better life and future.”

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 SDJM, Nawada in connection with Muffasil P.S. Case No. 111 of 2015, 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)

Amrendra/-

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