

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40630 of 2015

Arising Out of PS.Case No. -390 Year- 2014 Thana -TAJPUR District- SAMASTIPUR

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Prashant Kumar Sah, son of Vinay Kumar Sah, resident of Village-
Aramiya, P.S.-Jandaha, District-Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Ram Pukar Sah, son of Late Shiva Nandan Sah, resident of Village-
Motipur, P.S.-Tajpur, District-Samastipur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 31-08-2015 Petitioner being daughter of the husband of
the informant is apprehending his arrest in a case registered
for the offences punishable under Sections 341, 323, 504,
498A, 34 of the Indian Penal Code and Section 3 of the Dowry
Prohibition Act.

The basic accusation is of torture.

On instructions, it is submitted by learned
counsel for the petitioner that petitioner admits his marriage
with the daughter of the informant and is ready to keep the
daughter of the informant as wife with full dignity and honour.
A statement to that effect has been made in para 6 of the
petition. The relevant portion of which reads as follows:-

“That petitioner is husband of
the daughter of the informant and he is ready to keep his
wife with full honour and dignity.....”

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 Chief Judicial Magistrate, Samastipur in connection with Tajpur P.S. Case No. 390 of 2014.

Let learned Court below issue notice to the daughter of the informant and fix a date for her appearance. On appearance, the petitioner will take the daughter of 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 daughter of the informant fails to appear before learned Court below (iii) If the daughter of the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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