

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45064 of 2015

Arising Out of PS.Case No. -33 Year- 2014 Thana -MAHILA P.S. District- SITAMARHI

Rajendra Kumar Jha

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Prasad Singh

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-09-2015

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 Sections 341, 323, 504 and 498A/34 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. It is also alleged that the accused persons made attempt to kill the informant and also assaulted her.

It is submitted by learned counsel for the petitioner that there is not injury report of the informant on record. Earlier also the informant filed a case with similar accusation which ended into compromise. On completion of the investigation in the present case the petitioner was not sent up for trial but differing with the final form cognizance has been taken against the

petitioner. Moreover, 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 12 of the petition which reads as follows:-

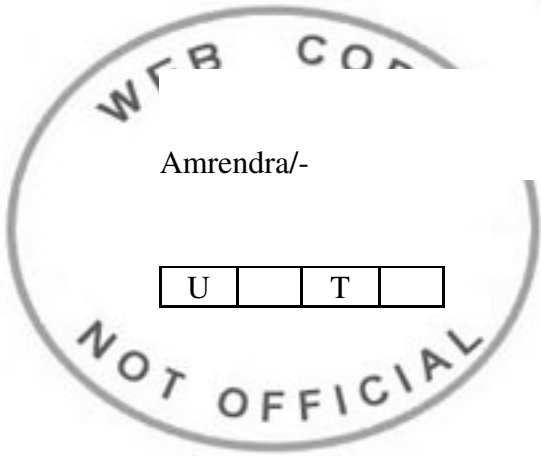
“That the petitioner is ready to keep the opposite party no.2 with all care and loves for which she is entitled to.”

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 Chief Judicial Magistrate, Sitamarhi in connection with Mahila P.S. Case No. 33 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)