

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51758 of 2015**

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1. Amit Kumar S/o Vijay kumar Malakar resident of Ward NO. 12,  
Shekhpura, Commissionary Mahalla, P.s-Shekhpura, District Shekhpura.

.... .... Petitioner/s

Versus

1. The State of Bihar.

2. Rita kumari D/o Rajeshwar Prasad resident of Near Committee Place, Sri  
Krishna Nagar, Ahri, District Aurangabad Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rakesh Singh, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR  
SINGH**  
**ORAL ORDER**

2      04-11-2015                      Heard learned counsel for the petitioner and the  
State.

The petitioner being the husband of the  
informant is apprehending his arrest in a case registered  
for the offences punishable under Sections 498A, 341,  
323, 504/34 of the Indian Penal Code and 3/4 of the  
Dowry Prohibition Act.

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

It is submitted by learned counsel for the  
petitioner that the petitioner admits the marriage with the

informant and he is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para- 10 of the petition which reads as follows:-

“That the petitioner is ready to keep the informant with full dignity and honour”.

It is further submitted that though the petitioner refused to accept the offer of the informant to resume the conjugal life before the learned court below.

On the other hand, learned A.P.P. opposes the prayer for bail and submitted that petitioner should not be granted anticipatory bail.

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 his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad (Town) P.S. Case No. 245 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the complainant on her appearance the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the complainant gets reluctant to reconcile the issue; and (iii) or if the complainant fails to appear before the learned court.

**(Dinesh Kumar Singh, J)**

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