

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54520 of 2015

Arising Out of PS.Case No. -193 Year- 2015 Thana -PATORI District- SAMASTIPUR

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Santosh Kumar Rai @ Santosh Kumar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amitabh Bhardwaj

For the Opposite Party/s : Mr. Ram Naresh Roy(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-12-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the daughter of the informant is apprehending arrest in a case registered for the offences punishable under Sections 341/323/420/406/498A/504/34 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 and cheating the daughter of the informant by claiming himself to be a Indian Navy personnel.

Learned counsel for the petitioner submits that the 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 8 of the petition which reads as follows:-

“That this petitioner is husband of informant’s

daughter and ready to keep his wife with full honour and dignity but wife of this petitioner does not want to live with him”

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 Chief Judicial Magistrate, Samastipur, in connection with Patrori (Mohanpur O.P.) P.S. Case No.193 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 daughter of the informant for her appearance. On her appearance, the petitioner will take the daughter of 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 daughter of the informant fails to appear before the learned court below or (iii) if the daughter of the informant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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