

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6603 of 2015

Arising Out of PS.Case No. -572 Year- 2014 Thana -BHAGALPUR KOTWALI District-
BHAGALPUR

- =====
1. Pranav Sinha Son of Sri Bimlendu Narayan Sinha Resident of Village - Sujapur, Police Station - Nath Nagar in the District of Bhagalpur, presently residing at D-83, Aarap Green city, Raiya Road, Rajkot in the State of Gujrat.
 2. Bimlendu Narayan Sinha Son of Late Sachindra Narayan Sinha
 3. Rupa Sinha Wife of Sri Bimlendu Narayan Sinha Both residents of Village - Sujapur, Police Station - Nath Nagar, in the district of Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Smt. Rupam Kumari Wife of Pranav Sinha and daughter of Sri Sri Niranjan Kumar Das Resident of Village - Bari Khanjarpur, Maharajghat Road, Police Station - Barari in the District of Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Advocate
For the Opposite Party/s : Mr. Shailendra Kr. 1(APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-02-2015 Heard learned counsel for the petitioners and the State.

The petitioner no.1 being the husband of the informant and petitioner nos. 2 and 3 being parents of petitioner no. 1 are apprehending their arrest in a case registered for the offences punishable under Section 498A 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.

On instruction it is submitted by learned counsel

for the petitioners that petitioner no. 1 is ready to keep the informant as wife with full dignity and honour. It is further submitted that petitioner nos. 2 and 3 are also ready to keep the informant in the matrimonial house. Statement to that effect has been made in para-8 of the petition.

Considering the present stand of the petitioner no. 1, let the above named petitioner no. 1 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, Bhagalpur in connection with Bhagalpur Kotwali (Barari) P.S. Case No. 572 of 2014, 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 informant on her appearance the petitioner no. 1 will take the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner no. 1 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 informant gets reluctant to reconcile the issue; and (iii) or if the informant fails to appear before the learned court.

Considering the present stand of petitioner no. 1,

let the above named petitioner nos. 2 and 3 be released on anticipatory bail in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Bhagalpur Kotwali (Barari) P.S. Case No. 572 of 2014, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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