

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47462 of 2014

Arising Out of PS.Case No. -44 Year- 2014 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

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1. Govind Trigun Son of Radha Krishna Tigun, Resident of Villae - Nainakon, P.O. - Barahati Kalan, Police Station - Kochas, District - Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sonam Devi D/o Singhasan Chaubey, Resident of Village - Barua, Police Station - Malwar, Police Station - Sheo Sagar, District- Rohtas.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 30-03-2015 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 under Sections 498A,323,341,406 and 506/34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

It is submitted that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 12 of the petition which reads as follows:

“That it is stated and submitted that several time

Panchayati was held but she is not ready to live with the petitioner while petitioner is always ready to keep her with full dignity.”

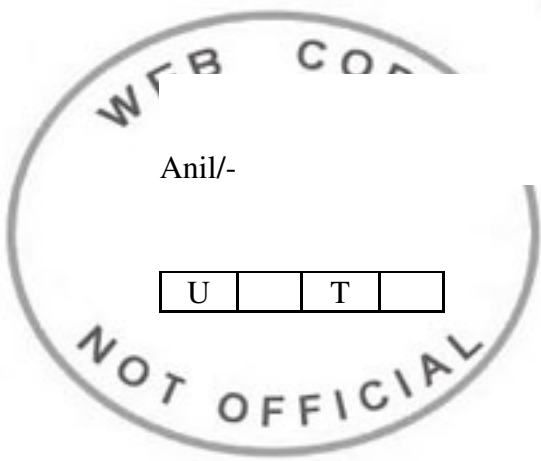
Marriage between the petitioner and the informant and birth of male child are admitted. The child is at present with the petitioner.

The petitioner and the informant are present in court. The offer is acceptable to the informant and she is ready to go with the petitioner from the court itself. The petitioner is also agreeable for the same.

Considering the present stand of the parties, 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM Rohtas at Sasaram in connection with Mahila P.S. Case No. 44 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the matrimonial harmony is not restored due to laches on the part of

the informant.



Anil/-

(Dinesh Kumar Singh, J)