

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12121 of 2015

Arising Out of PS.Case No. -85 Year- 2014 Thana -MAHILA P.S. District- BHAGALPUR

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Shyam Kumar Tanti S/o Shri Ram Swarup Tanti R/o Shri Ram Swarup
Tanti R/o Mohalla Shastri Nagar, Sahebganj, P.S. & District - Sahebganj
(Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rimi Devi D/o Jai Prakash Das R/o Mohalla Champa Nagar Bishari
Asathan, P.O. & P.S. Nath Nagar, District - Bhagalpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Bharat Lal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 24-03-2015

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 punishable under Sections 498A and 506/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

On instruction, learned counsel for the petitioner submits that 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 11 of the petition which reads as follows:-

"11. That the petitioner is still ready to keep his wife with full honour and dignity but the informant and her family members are not ready to be so for a simple reason to harass the petitioner and his family members."

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 Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Mahila P.S. Case No.85 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.

Ashwini/-

(Dinesh Kumar Singh, J)

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