

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18353 of 2015

Arising Out of PS.Case No. -24 Year- 2015 Thana -MASRAKH District- SARAN

SURENDRA DOME, SON OF LATE SURESH DOME, RESIDENT OF
VILLAGE- CHANDESHWAR MORE, P.S. MASHRAKH, DISTT.
SARAN.

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

Appearance :

For the Petitioner/s : Mr. Dhananjay Mishra
For the Opposite Party/s : Mr. Dashrath Mehta (APP)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 09-07-2015 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Mashrakh P.S. Case No. 24 of 2015 registered under Sections 323, 494, 498(A) and 504 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

The accusation is of torturing of Radha Devi, informant, by her husband and in-laws due to non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that the petitioner is the husband of the informant and is ready to keep the informant with full dignity and honour. It is further submitted that petitioner has already filed Matrimonial Case No. 23 of 2015

in the court of Principal Judge, Family Court, Saran at Chapra for restitution of conjugal right.

Having considered the facts and circumstances of the case, let the above named petitioner be released on provisional bail, in the event of arrest or surrender before the learned court below within a period of four 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 the learned S.D.J.M., Saran at Chapra, in connection with Mashrakh P.S. Case No. 24 of 2015, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

Learned trial court is directed to issue notice to the informant and make attempt to resolve the dispute in between the petitioner and the informant by taking all possible efforts and if the dispute is resolved then confirm the provisional bail of the petitioner. If the dispute is not resolved then the trial court will pass the order on its own merit .

Accordingly, this application is disposed of.

(Rajendra Kumar Mishra, J)

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