

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33345 of 2015

Arising Out of PS.Case No. -38 Year- 2014 Thana -KHUTAUNA District- MADHUBANI

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1. Ram Bharosh Singh @ Ram Bharosh Singh @ Ram Bharosh Mahto Son
of Bhola Mahto R/o Village Siktiyahi, P.S. Khutauna, District
Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rana Bhupendra Narayan Singh

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-08-2015

Petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 323, 341, 379/34, 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand.

On instructions, it is submitted by learned counsel for the petitioner that petitioner is ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 5 of the petition. The relevant portion of which reads as follows:-

“.....

Still the petitioner desire to keep her wife(informant) with him with all the honour and dignity”

The petitioner admits the marriage with the informant.

Considering the present stand of the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for one year, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Jhanjharpur, Madhubani in connection with Khutauna P.S. Case No. 38 of 2014.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below in three eventualities (i) On substantial restoration of the matrimonial harmony within a period of one year (ii) If the informant fails to appear before learned Court below (iii) If the informant is reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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