

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33251 of 2015

Arising Out of PS.Case No. -307 Year- 2013 Thana -GORAUL District- VAISHALI(HAJIPUR)

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Manoj Kumar @ Manoz Kumar

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sanjay Kr. Tiwary No.1 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 26-08-2015

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, 341, 323, 379, 420, 504 and 506 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour but due to undue interference of the father of the informant, the matrimonial life gets disturbed. A statement to that effect has been made in para 6 of the petition which reads as follows:-

“That it may be stated that the complainant was/is always ready to live with her husband, the petitioner is also ready to keep his wife but the

parents of the complainant is behind the entire episode.”

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 SDJM, Vaishali at Hajipur in connection with Goraul P.S. Case No. 307 of 2013, 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.

(Dinesh Kumar Singh, J)

Amrendra/-

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