

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34184 of 2015

Arising Out of PS.Case No. -12 Year- 2015 Thana -MAHILA P.S. District- SIWAN

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1. Raj Kumar Soni S/o Late Dharmnath Sah Resident of Mohalla Purani
Chauk, Shyam Cinema Road, P.S. Gopalganj (Town), District
Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Gitanjali Devi W/o Raj Kumar Soni, D/o Parsuram Prasad Resident of
Village Lakri Dargah, P.S. Barhariya, District Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh
For the Opposite Party/s : Mr. Madhuranand Jha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-08-2015 Petitioner being husband of the informant is
apprehending his arrest in a case registered for the offences
punishable under Sections 323, 341, 498(A)/506 of the Indian
Penal Code and Section 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 admits his marriage
with the informant and is ready to keep the informant as wife
with full dignity and honour. A statement to that effect has
been made in para 9 of the petition which reads as follows:-

“That despite
aforementioned position petitioner is still ready
to keep the informant with full honour and

dignity but the informant herself is not ready to
live with the petitioner”

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 Chief Judicial Magistrate, Siwan in
connection with Siwan Mahila P.S. Case No. 12 of 2015.

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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