

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36555 of 2015

Arising Out of PS.Case No. -10 Year- 2015 Thana -BARAHIYA District- LAKHISARAI

1. Chandan Kumar Son of Baijnath Prasad Resident of village - Ekanger Sarai, P.S. Ekanger Sarai, District - Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. Arti Devi Wife of Chandan Kumar and Daughter of Binod Kumar Gupta
Resident of Krishna Chowk Barahiya, P.S. Barahiya, District - Lakhisarai

... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. P.K. Chourasiya (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-08-2015 Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 147, 341, 323, 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the petitioner that petitioner has earlier filed Matrimonial Case No. 359 of 2014 for restitution of conjugal rights

which has been allowed and moreover, the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para-6 of the petition which reads as follows:-

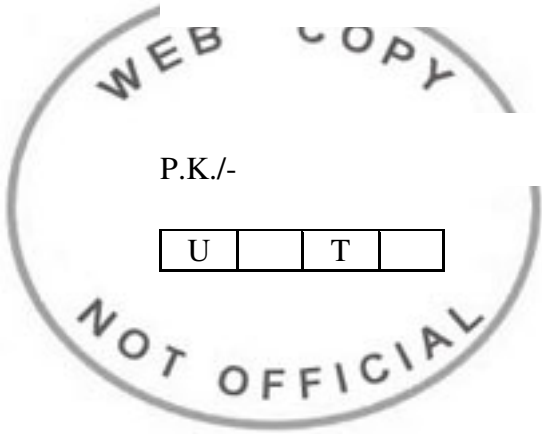
“That It is stated that the petitioner is the husband of the informant, who was/is ready to keep her as wife with full dignity and honour.”

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 his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Barahiya P.S. Case No. 10 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant 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 within one year by the learned court below in three eventualities:- (i) on substantial restoration of the matrimonial harmony; (ii) or if the informant gets reluctant to reconcile the

issue; and (iii) or if the informant fails to appear before the learned court.



(Dinesh Kumar Singh, J)