

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46431 of 2015

Arising Out of PS.Case No. -57 Year- 2015 Thana -MAHESI District-
EASTCHAMPARAN(MOTIHARI)

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Vikas Kumar Chaurasia @ Vikas Kumar Son of Ram Naresh Chaurasia,
Resident of Village - Baluwa Basanta, P.S. - Lalganj, District - Vaishali.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Subodh Prasad

For the Opposite Party/s : Mr. S.M.Rahman(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 29-10-2015

Heard learned counsels 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 498A, 313, 323/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the dowry demand and getting the pregnancy terminated.

The petitioner and the informant are present in the Court.

It is submitted by learned counsel for the

petitioner that the petitioner admits his marriage with the informant and is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 13 of the petition, which reads as follows:-

“That mother of petitioner has become seriously ill due to said case against her only son. The petitioner wants to keep her wife with honour.”

Both sides agree to appear before the learned court below on 5th of November, 2015 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, 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, Motihari in connection with Mehsi P.S. Case No. 57 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

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)

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