

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53141 of 2015

Arising Out of PS.Case No. -100 Year- 2015 Thana -RAGHOPUR District- SUPAUL

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Birendra Yadav

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Verma

For the Opposite Party/s : Mr. Smt. Anuradha Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 23-11-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered under Sections 341,323,379,354A,498A and 509/34 of the Indian Penal Code.

The basic accusation is of torture for non fulfillment of dowry demands.

On instruction it is submitted 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 the aforesaid effect has been made in paragraph no. 6 of the petition which reads as follows:

“That, petitioner is the husband and ready to keep the informant with due care and respect.”

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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM, Birpur, Supaul in connection with Raghapur P.s. Case No. 100 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant and 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 the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the informant fails to appear before the learned court below or (iii) if the informant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

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