

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52394 of 2015

Arising Out of PS.Case No. -53 Year- 2015 Thana -PURNEA SADAR District- PURNIA

Santosh Kumar, son of Shambhu Prasad Yadav, resident of Rambagh Prof. Colony, P.S.-Sadar, District-Purnea

.... Petitioner/s

Versus

1. The State of Bihar
2. Amrita Kumari, daughter of Tej Narayan Yadav, resident of Village-Biyarpur, P.S.-Muffasil Ranipatra, District-Purnea

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Narayan Singh

For the Opposite Party/s : Mr. Arun Kr. Panday (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-11-2015

Petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 147, 149, 447, 323, 498A, 504, 506 of the Indian Penal Code and Section 3/4 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 5 of the petition which reads as follows:-

“That the petitioner is husband
and he is ready to keep the informant as a wife with all
respect and dignity”

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, Purnea in connection with Sadar(Moffasil) P.S. Case No. 53 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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