

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48270 of 2014

Arising Out of PS.Case No. -27 Year- 2014 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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1. Raushan Kumar S/o Sri Ghan Shyam Thakur Resident of Village
Govindpur, Tiwari Tola, P.S. Jitna, District East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Upendra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

2 10-02-2015

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the daughter of the informant is apprehending arrest in a case registered for the offences under Sections 323,498A and 504/34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

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

On instructions, it is submitted that the petitioner is ready to keep the daughter of the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 11 of the petition which reads as follows:

“That in any view of the matter, the petitioner is still

ready to keep the daughter of the informant with full dignity and honour provided that she comes and lives with the petitioner in the joint family.”

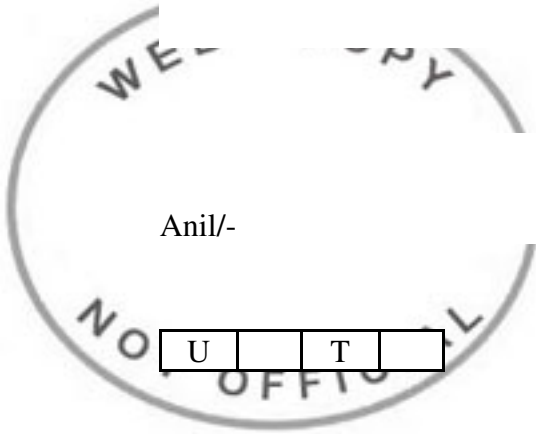
It is further submitted that the daughter born out of the wedlock is residing with the petitioner.

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 ACJM East Champaran at Motihari in connection with Sugauli P.S. Case No. 27 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the daughter of the informant and on her appearance the petitioner will take the daughter of 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 daughter of the informant fails to appear before the learned court

below or (iii) if the daughter of the informant deliberately gets reluctant to reconcile the issue.



(Dinesh Kumar Singh, J)