

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51787 of 2014

Arising Out of PS.Case No. -247 Year- 2014 Thana -GAYGHAT District- MUZAFFARPUR

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Babloo Sahani Son of Nawal Sahni Resident of Village - Fakiradih, P.S. - Gaighat, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Manu Devi W/o Babli Sahani Resident of Village - - Fakiradih, P.S. - Gaighat, Distirict - Muzaffarpur, at present D/o Laxmi Sahni, Village - Haripur, P.S. - Gaighat, District - Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand

For the Opposite Party/s : Mr. Satyendra Narayan Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 02-04-2015

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 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.

Notices were issued to the informant-opposite party no. 2 vide order dated 05.01.2015 on submission of learned counsel for the petitioner that the petitioner is ready to keep the

informant as wife with full dignity and honour. Statement to that effect has been made in para 9 of the petition, which reads as follows:- **“That the petitioner is ready to keep her wife with full dignity and honour.”**

It is submitted by learned counsel for the informant that the offer of the petitioner is acceptable to the informant.

Both sides agree to appear before the learned court below on 27th of April, 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 Judicial Magistrate, Ist Class, Muzaffarpur in connection with Gaighat P.S. Case No. 247 of 2014, 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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