

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50747 of 2015

Arising Out of PS.Case No. -93 Year- 2015 Thana -AJAMNAGAR District- KATIHAR

- =====
1. Rajesh Singh, son of Motilal Singh
 2. Motilal Singh, son of Late Gaur Mohan Singh
 3. Chapo Devi, Wife of Motilal Singh
 4. Jyotika Kumari, D/o Motilal Singh
 5. Munna Singh, Son of Moti Lal Singh null
 6. Raju Singh @ Raju Kr Singh Son of Moti Lal Singh All resident of village-Shamserpur, P.S. Azamnagar, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Md. Musowir, Advocate

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

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-11-2015 Heard learned counsel for the petitioners and the State.

The petitioner no. 1 being the husband of the daughter of the informant and petitioner nos. 2 to 6 being the parents, sister and brothers of petitioner no. 1 are apprehending their arrest in a case registered for the offences punishable under Sections 498A, 323, 324, 447, 307/34 of the Indian Penal Code.

Accusation is of inflicting torture to the daughter of the informant for non-fulfillment of dowry demand after four years of marriage.

It is submitted by learned counsel for the



petitioners that the petitioner no. 1 admits the marriage with the daughter of the informant. Petitioner no. 1 has filed Matrimonial Suit No. 235 of 2015 for restitution of conjugal rights and is ready to keep the daughter of 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 it is stated that petitioner no. 1 who is the husband of the informant’s daughter namely Rajesh Singh, he is always ready to keep the daughter of the informant with full dignity and honour”.

Considering the present stand of the petitioner no. 1, let the above named petitioner no. 1 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, Katihar , in connection with Azamnagar P.S. Case No. 93 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below issue notice to the informant on her appearance the petitioner no. 1 will take the informant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner no. 1 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.

So far as petitioner nos. 2 to 6 are concerned, considering the present stand of petitioner no. 1, let the above named petitioner nos. 2 to 6 be released on bail in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned J.M., Ist Class, Katihar in connection with Azamnagar P.S. Case No. 93 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

P.K./-

U		T	
---	--	---	--