

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15877 of 2015

Arising Out of PS.Case No. -28 Year- 2015 Thana -PATAHI District-
EASTCHAMPARAN(MOTIHARI)

=====

Sudhir Singh S/o Late Gopal Singh

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Advocate

For the Opposite Party/s : Mr. Asha Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-04-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the complainant is
apprehending arrest in a case registered for the offences
punishable under Sections 341, 323, 498A and 34 of the Indian
Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfillment of the
dowry demand.

On instruction, learned counsel for the petitioner
submits that the petitioner is ready to keep the complainant as
wife with full dignity and honour.

A statement has been made at paragraph 9 of the
petition that the petitioner filed a petition under section 9 of the
Hindu Marriage Act for restitution of conjugal rights.

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 ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikarhana, Motihari, East Champaran in connection with Patahi P.S. Case No.28 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 complainant for her appearance. On her appearance, the petitioner will take the complainant to keep her as wife with full dignity and honour.

The provisional bail of the petitioner will be confirmed by learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the complainant fails to appear before the learned court below or (iii) if the complainant gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Ashwini/-

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