

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44845 of 2015

Arising Out of PS.Case No. -78 Year- 2015 Thana -RAJNAGAR District- MADHUBANI

1. Shambhu Kumar Sah @ Shambhu Kr. Sahu son of Ishwar Sah r/o
Bhagwanpur PS. Rajnagar Distt. Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 21-09-2015

The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 341, 342, 323, 498A, 504, 506, 34 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.

It is submitted by learned counsel for the petitioner on instruction 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 8 of the petition which reads as follows:-

“That in spite of all
happening the petitioner is still ready to keep the
informant.”

Considering the aforesaid 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 Judicial Magistrate, 1st Class, Madhubani in connection with Rajnagar P.S. Case No. 78 of 2015.

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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