

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51773 of 2015

Arising Out of PS.Case No. -148 Year- 2015 Thana -MAHILA P.S. District- BHOJPUR

1. Santosh Kumar Niranjana, Son of Sri Rajeshwar Lal, resident of Mohalla-
Near Sichai Bibhag, Bye-pass Road, Anisabad, P.S. Gardanibagh, District-
Patna. At present posted as Office Assisatant, Civil Court, Arrah, P.S.
Arrah, Town & District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Juhi Kumari, wife of Santosh Kumar Niranjana, D/o Sri Kameshwar
Prasad, resident of Mohalla Maharaja Hata, P.S. Arrah Nawada, District-
Bhojpur.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar Sinha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-11-2015 Heard learned counsel 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 Section 498A, 406/34
of the Indian Penal Code and 3/4 of the Dowry
Prohibition Act.

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

It is submitted by learned counsel for the
petitioner that the petitioner admits the marriage with the
informant and petitioner has filed Matrimonial Suit No.

216 of 2015. The petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para- 14 of the petition which reads as follows:-

“That, the petitioner is husband of informant and he is ready to keep her wife with full respect and dignity and he had earlier filed a case in the family court in Conjugal Rights Act vide Case No. 216 of 2015 dated 11.06.2015 and one Informatory Petition on 06.06.2015 vide Informatory Case No. 2132 of 2015”.

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 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 Sub-Divisional Judicial Magistrate, Arrah, Bhojpur in connection with Mahila P.S. Case No. 148 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 will take the informant to keep her as wife with full dignity and honour.

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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