

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12058 of 2016

Arising Out of PS.Case No. -37 Year- 2015 Thana -MAHILA PS District- JEHANABAD

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1. Dhirendra Kumar Son of Rajendra Yadav resident of village - Milki,
P.S. Makhdumpur, Distt. - Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar
2. Anju Kumari W/o Dhirendra Kumar, D/o Lt. Yamuna Yadav R/o
village - Gandhar Math, P.O. Bandhuganj, P.S. Ghosi, Distt. -
Jehanabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Prasad Singh

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-03-2016

The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 323, 494, 498A, 504/34 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 and performing second marriage.

It is submitted by learned counsel for the petitioner on instruction that petitioner admits his marriage with the informant and has not performed second marriage. A statement to that effect has been made in para 10 of the petition which reads as follows:-

“That the petitioner has not
married to any girl or women”

It is further submitted that petitioner is ready

to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 11 of the petition which reads as follows:-

“That the petitioner is ready
to keep his wife with full honour and dignity”

Considering the present 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 six months on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Jehanabad in connection with Mahila P.S. Case No. 37 of 2015.

Let learned Court below issue notice to the informant and fix a date for her appearance. On appearance, the petitioner will take the informant to her matrimonial house to keep her as wife with full dignity and honour.

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 six months (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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