

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26370 of 2016

Arising Out of PS.Case No. -52 Year- 2015 Thana -MAHILA P.S. District- ARRARIA

Mithilesh Tatma @ Mithilesh Kumar Tatma son of Chhagi Tatma @ Chhattri Tatma, resident of village- Gaiyari Ward No.10, Police Station & District- Araria.

.... Petitioner

Versus

1. The State of Bihar.
2. Babita Devi daughter of Fagu Tatma, wife of Mithilesh Tatma resident of village- Gaiyari Ward No.10, Police Station & District- Araria.

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana
For the Opposite Party/s : Mr. Ajay Kumar 2 (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-06-2016 Heard learned counsels for the petitioner and the State.

Petitioner being the husband of the informant is apprehending arrest in a case registered under Sections 498A, 341, 323, 504 and 506/34 of the Indian Penal Code and Section 3 of the Dowry Prohibition Act.

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

Learned counsel for the petitioner submits that the petitioner admits his marriage with the informant and is ready to keep the informant with full dignity and honour. A statement to

that effect has been made in Para-10 of the petition.

Considering the present stand of the petitioner, let the above named petitioner be released on provisional anticipatory bail for six months in the event or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S. D. J. M, Araria in connection with Mahila Police Station Case No. 52 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 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)

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