

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1103 of 2016

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

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Ashok Sah son of Rajendra Sah, Residing at Village- Khirma, P.S.- Keoti,
District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bharti Devi W/o Ashok Sah D/o Manoj Kumar Sah at Mohalla –
Velwaganj, P.S. Laheriasarai, District – Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Jha

For the Opposite Party/s : Mr. M.Haque(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

03/ 09-05-2016

Heard learned counsels 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 Sections 323, 498A/34 of the Indian
Penal Code and 3/4 of Dowry Prohibition Act.

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

The petitioner and the informant present in the
Court.

It is submitted by learned counsel for the
petitioner that the petitioner admits his marriage with the

informant and birth of two children and is ready to keep the informant as wife with full dignity and honour, statement to that effect has been made in paragraph 10 of the petition, which reads as follows:-

“That the petitioner is working as labour in his village and still now he is ready to keep her as a wife.”

Counsel for the informant submits that the informant is ready to accept the offer of the petitioner.

Both sides agree to appear before the learned court below on 30th of May, 2016 when the petitioner will take the informant to keep her as wife with full dignity and honour.

Considering the present stand of the parties, let the above named petitioner be released on provisional anticipatory bail for three months 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 Chief Judicial Magistrate, Darbhanga in connection with Darbhanga Mahila P.S. Case No. 37 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed 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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