

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2286 of 2016

Arising Out of PS.Case No. -41 Year- 2015 Thana -MAHILA P.S. District- BHAGALPUR

1. Krishna Kumar Singh @ Bikku Singh Son of Uday kumar Singh
Resident of Village- Masudanpur, Baisi, P.s Rangra, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr. Amrendra Pd.(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-01-2016 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 Sections 498A, 494, 341, 323, 504, 506, 109/34 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 petitioner admits the marriage with the informant and has not performed second marriage. Statement to that effect has been made in para-17 of the petition which reads as follows:-

“That the petitioner being a reasonable person states and undertakes

that he has not solemnized his second marriage with any other lady, so allegation of re-marriage is totally false and fabricated one.”

It is further submitted that petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para- 20 of the petition which reads as follows:-

“That the petitioner is always ready to keep his wife (informant) with all dignities and regards and is always ready to give full facilities to her”.

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 Sri R.V.S. Parmar, J.M, Ist Class, Naugachia, Bhagalpur in connection with Naugachia Mahila P.S. Case No. 41 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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