

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3907 of 2016

Arising Out of PS.Case No. -81 Year- 2015 Thana -SAHAJITPUR District- SARAN

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1. Amit Singh @ Amit Kr. Singh Son of Sri Rajendra Singh, Resident of Village - Manopali, P.S. - Shahajitpur, District - Saran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priyanka Kumari, W/o Amit Singh, D/o Shri Rabindar Singh, At present at village - Bhikha Bandh, P.O. - Satojora, P.S. Duranda, District - Siwan.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan, Advocate

For the Opposite Party/s : Mr. P.K.Chaurasiya(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

5 03-05-2016 Let, the supplementary affidavit filed on behalf of the petitioner and counter affidavit filed on behalf of opposite party no. 2 be kept on record.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner being the husband of the informant is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 379, 506, 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the petitioner that petitioner admits the marriage with the informant having no issue at present. The petitioner is ready to

keep the informant as wife with full dignity and honour. Statement to that effect has been made in para- 15 of the petition which reads as follows:-

“That it is stated and submitted that the petitioner is ready and willing to live with the informant.”

Learned counsel for the informant submits that the informant is ready to accept the offer of the petitioner, but the informant is apprehensive that petitioner will not keep her at his place of employment at Hyderabad.

Purport to the supplement affidavit is that the petitioner wants to live with the informant meaning thereby keep the informant with himself wherever he is employed or resides for earning his livelihood.

Both the petitioner and informant agree to appear before the learned court below on 30th 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 six 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 Smt. Divya Shekhar, J.M., Saran at Chhapra in connection with Sahajitpur P.S. Case No. 81 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 within six months 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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