

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3576 of 2016

Arising Out of PS.Case No. -275 Year- 2015 Thana -RAJAUN District- BANKA

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Neeraj Kumar Jha @ Neeraj Jha

.... Petitioner/s

Versus

1. State of Bihar,
2. Ambika Devi alias Soni

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Atul Kumar

For the Opposite Party/s : Mr. Aditya Narayan Singh - 1(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-01-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the daughter of the informant is apprehending arrest in a case registered for the offence punishable under Section 498A of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands after seven years of marriage.

On instructions, it is submitted that the petitioner admits his marriage with the daughter of the informant and is ready to keep the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 13 of the petition which reads as follows:

“ That it is pertinent to mention here that still at this

stage also petitioner is ready to keep wife i.e. O.P. no.2 with full dignity and honour if she wishes.”

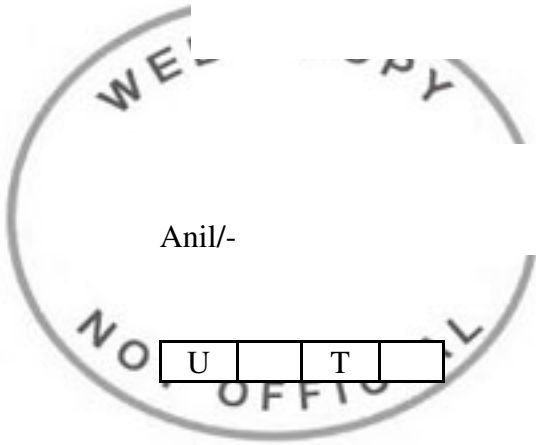
It is further submitted that at earlier point of time the petitioner filed informatory petition before the learned court below.

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 arrest 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 SDJM, Banka in connection with Rajaun P.S. Case No. 275 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below issue notice to the informant and 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 by the learned court below in three eventualities – (i) if the matrimonial harmony is substantially restored or (ii) if the informant fails to appear before the learned court below or (iii) if the informant deliberately gets reluctant to reconcile

the issue.



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(Dinesh Kumar Singh, J)