

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4258 of 2016

Arising Out of PS.Case No. -64 Year- 2015 Thana -DAUDNAGAR District- AURANGABAD

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1. Janeshwar Singh S/o Late Babulal Singh
 2. Dhananjay Kumar S/o Janeshwar Singh Both are resident of Village- Budhan Bigha, P.S.- Daudnagar, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. Gita Devi D/o Madhi Singh resident of Village- Belsar, P.S.- Mehandia, District- Arwal.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Singh

For the Opposite Party/s : Mr. Indu Bala Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 27-01-2016 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Section 498A, 341, 323 of the Indian Penal Code.

The basic accusation is of torture for non fulfillment of dowry demands.

The petitioner No.2, Dhananjay Kumar, who is husband of the informant, admits marriage with the informant. On instructions, it is submitted that the petitioner No.2 is ready to keep the informant as wife with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 9 of the

petition which reads as follows:

“9. That petitioner No.2 is ready to keep the informant with full dignity and honour.”

Considering the present stand of the petitioner No.2, let the petitioner No.2 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, Daudnagar, Aurangabad in connection with Daudnagar P.S. Case No. 64/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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

Considering the stand of petitioner No.2, let the petitioner No.1, namely, Janeshwar Singh be released on

anticipatory bail 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, Daudnagar, Aurangabad in connection with Daudnagar P.S. Case No. 64/2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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