

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10541 of 2016

Arising Out of PS.Case No. -91 Year- 2015 Thana -CHAKIA District-
EASTCHAMPARAN(MOTIHARI)

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Kunal Singh S/o Arvind Kumar Singh, resident of C-87, Chandralok
Colony, Kapurthala, P.S.- Aliganj, District- Lucknow (Uttar Pradesh)

.... Petitioner/s

Versus

1. The State of Bihar
2. Nalini Gautam, W/o Kunal Singh, D/o Mukul Kumar Singh, resident of
village- Sugar Mill Quarter, Madhuban Road, P.S.- Chakia, District-
East Champaran (Bihar)

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Saket Tiwary

For the Opposite Party/s : Mr. Ajay Kumar No.2 (App)

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

05/ 19-09-2016

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 498A, 307/34 of the Indian
Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfillment of the dowry demands and making attempt to kill the
informant by administering poison and making assault.

The petitioner and the informant are present in
the Court.



Counsel for the petitioner submits that, though, the matrimonial suits were filed earlier but one of them was withdrawn. However, petitioner is also ready to withdraw the pending matrimonial suit. It is further submitted that the petitioner is now ready to keep the informant as wife with full dignity and honour, though, statement to that effect has not been made in the petition.

Counsel for the informant submits that the informant is also ready to accept the offer of the petitioner. The complainant is also ready to withdraw the maintenance case.

Both sides agree to appear before the learned court below on 3rd of October, 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 Additional Chief Judicial Magistrate, East Champaran at Motihari in connection with Chakia P.S. Case No. 91 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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